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S E R I E S I

PAPER I

PRESBYTERIANISM IN THE CHURCH OF SCOTLAND

By the late REV. DAVID HUNTER, D.D., Minister of the
Parish of Galashiels

THIS paper is written as a statement, not controversial but informative, of the theory and practice of Presbyterianism in the Church of Scotland, and with special reference to the obligations imposed by its standards and formularies in the matter of Church government. The paper, therefore, opens with a consideration of these obligations.

I.—THE ACTS OF 1690 AND 1693

The present legal constitution of the Church of Scotland was fixed by the Act of 1690, often referred to as the Revolution Settlement. That Act in its preamble refers to a Claim of Right, presented to Parliament by a Convention at Edinburgh, and in its enactments proceeds, not to impose a doctrinal confession or a form of government, but to ratify what had been offered for ratification. The terms in which this ratification was made, are as follow :—

‘ Likeas they by these presents, ratify and establish the Confession of Faith, now read in their presence, and voted and approved by them as the public and avowed Confession of this Church, containing the sum and substance of the doctrine of the Reformed Churches (which Confession of Faith is subjoined to the present Act). As also they do establish, ratify and confirm the Presbyterian Church government and discipline : That is to say, the government of the Church by kirk sessions, presbyteries, provincial synods, and general assemblies, ratified and established by the 114 Act, James VI., Parliament 12, anno 1592, entitled Ratification

of the liberty of the true kirk, etc. And thereafter received by the general consent of the nation to be the only government of Christ's Church within this nation.'

The Act goes on expressly to rescind certain acts of James VI. and Charles II., by which Episcopacy had either been imposed or restored.

This Act of 1690 was ratified and confirmed in 1700 by an 'Act for securing the Protestant Religion and Presbyterian Church Government,' and by similar Acts in 1702 and 1703. The like ratification and confirmation was made in 1706-7 by an Act which declares that each sovereign of Great Britain, at his or her accession to the crown, shall swear and subscribe that

'they shall inviolably maintain and preserve the foresaid settlement of the true Protestant religion with the government, worship, discipline, right and privileges of this Church.'

The conclusion of this Act of 1706-7 contains the following clause :—

'This Act of Parliament, with the establishment therein contained, shall be held and observed in all time coming as a fundamental and essential condition of any treaty or union to be concluded betwixt the two kingdoms without any alteration thereof, or derogation thereto, in any sort whatever.'

If we turn now from the general constitution of the Church to the question of individual obligations, we find that these are laid down in the Act of 1693. In the terms of this Act, every minister at ordination, and every preacher when receiving license to preach with a view to the ministry, must subscribe the following formula :—

'I declare the Confession of Faith [approved by former General Assemblies of this Church, and]¹ ratified by law in the year 1690, to be the confession of my faith, and I own the doctrine therein contained to be the true doctrine, which I will constantly adhere to. As, likewise, I own and acknowledge Presbyterian Church government, as now and

¹ The words in brackets are not found in the Act of Parliament; they were inserted by the Act of Assembly, 1694.

for long time settled by law, to be the only government of this Church, and I will submit thereto, concur therewith, and never endeavour, directly or indirectly, the prejudice thereof. As also I will observe that uniformity and worship and of the administration of all public ordinances in this Church, as the same are at present performed and allowed, or shall be hereafter declared by the authority of the same.' ¹

From these repeated Acts, which were either projected, or afterwards approved, by General Assemblies, it would appear that the Presbyterian form of Church government is part of the legal constitution of the Church of Scotland, that each sovereign at the time of accession must swear that it will be maintained, and that it is even an essential condition of the union between Scotland and England. It will be observed, however, that the Acts contain no declaration that Presbyterianism is the only lawful form of government for a Christian Church, nor is such a declaration part of the obligations laid on ministers individually. Whatever may be said about the power of the latter to move for any change or modification of Presbyterianism in their own Church, and whatever view they may take of the expediency and practical advantages of Presbyterianism, they are not required to hold that that system of Church government enters into the *esse* of the Church of Christ. Further, different views regarding the theory and practice of Presbyterianism have been held and advocated within the Church before and after 1690. These views are of greater or less value in elucidating points which the Acts of 1592 and 1690 do not determine; but they are not legally binding on those who adhere to the Church as at present constituted.

II.—THE ACT OF 1592

The Act of 1690 gives some definition of Presbyterianism by referring to the Act of 1592. Into the terms of this latter Act inquiry must now be made.

¹ The Act of 1693 was, so far as this formula is concerned, rescinded by the Churches (Scotland) Act, 1905. [In accordance with powers conferred by that Act, the General Assembly, with the consent of Presbyteries, enacted in 1911 that the formula should be: 'I hereby subscribe the Confession of Faith, declaring that I accept it as the Confession of this Church, and that I believe the fundamental doctrines of the Christian faith contained therein.'—ED.]

The Act of 1592 has been called 'the Charter of the Church'; it is certainly fundamental in its bearing on the Church's form of government and its jurisdiction. As will appear, however, it is concerned chiefly with the powers to be exercised by the various Church Courts, and it leaves undetermined many details which are of importance both for the practice and theory of Presbyterianism. First of all, the Act gives power to General Assemblies to meet once a year, and oftener *pro re nata*, the sovereign or his commissioner being present, and, before the close, appointing place and date for the next meeting, which, however, in the case of his absence, the Assembly itself may do.¹ The Assembly now meets only once a year, but at its rising appoints its members as a Commission to deal with any business delegated or emergent. This Commission meets thrice in the course of the year. The Act goes on to 'ratify and approve' synodical or provincial assemblies to be held twice a year. These provincial assemblies, now called synods, are mainly courts of review. The distinctive feature of the Act is its definition of the powers of the Presbytery—or, to use the old name, now obsolete in this sense—'the elderschippe.' The exact words may be quoted:—

'The power of the Presbyteries is to give diligent laboures in the boundes committed to their charge. That the kirkes be keepit in gude ordour. To enquire diligently of naughty and ungodly persons, and to travail to bring them in the way againe be admonition or threatning of God's judgments, or be correction. It appertains to the Elderschippe to take heede that the word of God be purely preached within their boundes, the sacraments richtly ministred, the discipline interteined, and ecclesiastical guddes uncorruptly distributed.'

With regard to what are now called kirk sessions, the definition is brief and somewhat vague:—

'Anent particular kirks, gif they be lauchfully ruled be

¹ While the presence of the Commissioner may be necessary to the constitution of the Assembly, it is not necessary to the conduct of business at its meetings. Also, while the Church has never formally admitted the Sovereign's right to convene an Assembly, it has acquiesced. For a long time, from 1690 at least, the practice has been in use that both Moderator and Commissioner, as if acting independently, close the Assembly and appoint place and date for the next.

sufficient ministry and session. They have power and jurisdiction in their awin congregation in maters ecclesiastical.'

This same Act expressly assigns to Presbyteries the power of collation to benefices, and grants to all church courts jurisdiction 'in matters and causes ecclesiastical.' This latter provision has been fully recognised in the Court of Session, where it has been declared that, in spiritual causes, neither the procedure nor the decisions of the church courts are subject to review by the civil courts.

The definition of Presbyterianism in the Act of 1690, and the description of church courts in the Act of 1592, leave many matters undetermined—notably the constituent membership of these several courts, the right of presidency in them, the nature of the eldership in the modern use of the word, the method of ordination, etc.—which are of great importance both in theory and practice. To obtain a full view of Presbyterianism, therefore, it is necessary to go beyond the obligations imposed or ratified by Acts of Parliament, and to consider otherwise these important details.

III.—PRESBYTERIANISM IN PRINCIPLE

The principles of Presbyterianism have no necessary connection with a particular system of doctrine, though the Presbyterian Churches that are of Scottish origin adhere more or less closely to the Westminster Confession of Faith, which was adopted by the Church of Scotland in 1647. Nor are these principles bound up with any particular ritual, though again the Presbyterian Churches of Scottish origin use no liturgy, and otherwise adhere to simple forms of worship. The essentials of Presbyterianism may be set forth in the following propositions:—

1. There are two classes of office-bearers—ministers, ordained by the Presbytery with the imposition of hands for the office of preaching; and elders, appointed and admitted by the Kirk Session to take part in government.

NOTES.—As a first stage towards the ordained ministry, there exists also the class of probationers or licentiates who have received from a Presbytery licence to exercise their gifts, and in

existing practice, discharge all the function of the ministry except the celebration of the sacraments and the solemnisation of marriage. The word 'ordination' is sometimes used in connection with the eldership, but it would be better to apply it only to a ceremony of which the imposition of hands forms part. Elders are not 'ordained' by a Presbytery, nor with imposition of hands. For the office of Deacon in Presbyterian Churches, see Professor MacEwen's paper in the appendix.

2. No minister has any superiority over another by right of office.

3. Elders have an equal share in government with ministers, with this exception, that by long-standing usage in Scotland, the moderator of every church court is a minister and never an elder.

4. The church courts are graded from the Kirk Session to the Assembly, the higher court having power of review and control over the lower.

NOTE.—The power of control is chiefly exercised by a periodical examination of the minute books.

IV.—PRESBYTERIANISM IN PRACTICE

In the fluctuations between Presbytery and Episcopacy from 1592 to 1690—fluctuations so frequent and so violent that they did not give time for working out the details of government—it is difficult to trace with certainty the development and application of Presbyterianism in the Church of Scotland. Nor do the scantiness and brevity of church records furnish sufficient data. During those unsettled times, church courts were often convened and constituted irregularly; bishops exercised authority by acting as permanent moderators in Presbytery or Synod; neither system of church government was worked out fully into practice. Since 1690, however, Presbyterian government has taken the shape now to be described, beginning with the lowest court.

A.—*The Kirk Session* is the ecclesiastical authority in each parish. It is composed of at least two elders¹ with the minister.

¹ [Elders are elected by the Kirk Session and are admitted to the office in presence of the congregation. They are required to sign this formula: 'I hereby declare my approbation of the Confession of Faith, as approved by this Church and ratified by law in 1690; and I promise to submit myself to the discipline and Presbyterian government of the Church as established by law, and will never endeavour directly or indirectly the prejudice or subversion thereof.—ED.]

without whose presence as moderator no meeting can be held. The Session administers discipline in the parish (not over the minister, however, who is responsible to the Presbytery only), judges of the fitness of those who desire to receive the sacraments, fixes the occasions and hours of public worship, the occasions for the celebration of Holy Communion, special days for thanksgiving or of humiliation and prayer in the parish. It commissions an elder to be its representative in the Presbytery and Synod, and discharges such other duties as the General Assembly may from time to time impose. In the old parishes¹ it also manages finance. Appeals from its decisions may be taken to the Presbytery.

B.—The *Presybtery* is composed of all the parish ministers within its bounds, together with one elder from each Kirk Session. Its moderator is always a minister, who in theory is freely elected, but by long-standing practice takes his turn for six months by rotation. The Presbytery has functions and jurisdiction both ecclesiastical and civil. On the ecclesiastical side, it exercises control over Kirk Sessions,² examines their minutes and records, deals with petitions and appeals from them, instructs them as to local duties to be undertaken. It examines students of divinity during their curriculum, and, at its close, pronounces on their fitness to receive license and to become licentiates or probationers for the ministry, and grants such license. It makes trial of the qualifications of those who have received a call to a parish, or an appointment, appoints ordination to take place,³ inducts into office. Further, it oversees the character of ministers, and superintends their discharge of duty, having power of discipline and of deprivation of orders. Generally it may be said to be charged with the furtherance of the interests of religion within its bounds. On all ecclesiastical matters there is an appeal to the Synod, or in certain circumstances, to the Assembly. On the *civil* side, it has care over church property. It has certain powers with regard to glebes, the repair or rebuilding of manses and churches. In civil matters there is an appeal to the civil courts.

C.—The Synodical or Provincial Assembly of the old Acts is

¹ [In the case of new Parishes, erected under an act passed in 1844, known as *quoad sacra* Parishes, there is a body of Managers who control financial affairs.—ED.]

² [The number of Kirk Sessions composing a Presbytery varies from 5 to 98. The total number of Presbyteries is 84.—ED.]

³ See later on, page 9, for the usual conditions of ordination.

now called the *Synod*.¹ The Synod is composed of a varying number of Presbyteries—the number varies from eight in the largest to three in the smallest—and its membership consists of all the parish ministers within its bounds, together with one elder from each Kirk Session. It exercises superintendence over the work of the Presbyteries, and is also a court of appeal. It meets twice a year. An appeal from its decisions may be taken to the Assembly.

D.—The *General Assembly*, which is the highest ecclesiastical authority, is an elected and representative body. Each Presbytery sends one out of every four of its ministers, and one out of every six of its elders. Each of the four universities sends an elder; the city of Edinburgh sends two; the remaining 69 royal burghs send one each. This representation works out to 371 ministers and 333 elders. The Sovereign's Commissioner is not a member of Assembly; and while he is always present at the opening of each day's proceedings, his continued presence is not necessary to the discharge of business. The moderator is always a minister, in theory freely elected—in practice designated to the Assembly by those who have already held the office.² The Assembly's action and duties extend to all matters affecting religion or the good of the Church. It disposes of all appeals that have come up from the subordinate courts, its jurisdiction being independent of the civil courts, and its decisions final in all matters ecclesiastical. It considers proposals for internal legislation which have come up from the lower courts or from certain members in the shape of an *overture*.³ These proposals, if they affect the constitution of the Church, must be sent down to Presbyteries for consideration, and even when approved by a majority of the Presbyteries, must again be discussed before final decision.⁴

The Assembly does much of its work through Committees. Some 30 of these on such matters as Home Missions, Foreign Missions, Colonial Missions, Temperance, are permanent, while

¹ [The boundaries of the 16 Synods are practically those of the ancient Diocese, altered to suit the modern circumstances of the people.—ED.]

² The designation has, since 1849, been invariably accepted and without a vote taken.

³ An *Overture* is a proposal for legislation.

⁴ [The Act of Assembly which provides this security against hasty legislation is known as 'The Barrier Act.'—ED.]

there may be as many more for a temporary or special purpose. The reports from these committees, and the direction of their action and policy, occupy a large part of the Assembly's meetings.

V.—THE METHOD OF PRESBYTERIAN ORDINATION

Ordination as a spiritual function rests entirely with the Presbytery. It is the Presbytery which judges of a man's fitness in character and qualifications to receive ordination, with appeal to the higher courts. Elders, as constituent members of a Presbytery, may take part in thus judging, but they take no part in the act of ordination. Only ordained ministers ordain other ministers. Ordination is rarely granted, except to one called to the ministry of a parish or chapel, or to one who has received an appointment as a theological professor, a chaplain, or a missionary. Ordination is governed by two principles, the first of which is that no one can take to himself the office or status of the ministry, and the second is that it takes place with prayer and the imposition of hands. Orders are not regarded as indelible.¹ An ordained minister may voluntarily resign his office and status, or he may, after process of discipline, be deprived of them by a Presbytery, or, after appeal, by a Synod or by the Assembly.

It does not lie within the scope of the present paper to inquire whether any emergency could justify an assumption of orders, or make lawful the administration of the sacraments by one unauthorised—whether, in other words, the circumstances could ever arise in which rightly and properly a new beginning of an ordained ministry could be made. It is certain that since 1560 the Church of Scotland has not recognised the validity of sacraments administered without authority, and has always acted on the assumption that its orders are continuous. Some also aver, from their special study of the question, that the succession of its ministry was not broken even in 1560. On this head, reference may be made to Spratt's *Worship and Offices of the Church of Scotland*, pp. 194 ff. ; Macleod's *Ministry and Sacraments in the Church of Scotland*, pp. 155 ff.

¹ [Nevertheless in 1906 when a minister who had been deposed and afterwards reponed to the station of a Licentiate was elected to a vacant parish, the General Assembly resolved by a majority that he should not be re-ordained.—ED.]

PAPER II

NOTES ON DR. HUNTER'S PAPER BY
PROFESSOR MACEWEN

THE statements made by Dr. Hunter in paragraphs I., II., and III. refer specially to the position of the Church of Scotland as established by law, and have, therefore, no direct bearing on the constitution and laws of the United Free Church. Their indirect bearing is important, but could not be defined without argument, as they express ideas which (1) are in some respects accepted and valued in the United Free Church, (2) were in other respects the occasion of the formation of the Churches which now constitute the United Free Church.

The statements made in paragraphs IV. and V. would be generally recognised in the United Free Church as adequate and satisfactory. There are, of course, divergences due to the fact that the Courts of the United Free Church are not recognised by civil statute. Thus, Sessions in that Church have no civil functions; Presbyteries have no rights or duties *quoad* property; the General Assembly has no Royal Commissioner nor any representatives from Universities and Burghs. On the strictly ecclesiastical side the only important divergencies are these:—

1. Congregations which have more than 450 communicants send two representative elders to Presbytery and Synod.

This is a recent change, designed to secure some approach to proportion in the representation of communicants.

2. The General Assembly is composed of 'a number of ministers equal to one-third of the sanctioned congregations and professorial charges within the bounds of each Presbytery, and the same number of elders.' This yields a larger Court than the General Assembly of the Church of Scotland—a Court composed at present of about 1100 members. It also results in a closer equality of ministers and elders; indeed, the equality would be exact but for the existence of Collegiate charges. It has the

further result of bringing ministers more frequently into the Supreme Court.

3. It may be noted that Professors are regarded only as ministers. Even when they are elders in congregations, as most of them are, they cannot be returned *as elders* to the General Assembly, *i.e.* their twofold status is not recognised, even when they are discharging twofold duties. In this matter the Church of Scotland is nearer the Church of the Reformation, which gave a definite place in church courts to 'Doctores.'

This is illustrative of a general tendency of the United Free Church to aim at an exact balance between ministers and elders in church courts, a tendency which might be illustrated by other details. None of these, however, involve what can be called a principle. They are the outcome of the trend of a self-supporting and non-established church to develop the effectiveness of popular representation.

THE DIACONATE

This office was recognised by the sixteenth century Reformers in Scotland as 'an ordinarie and perpetual ecclesiastical function in the Kirke of Christ. . . . Unto the deacons the collection and distribution of the Almes of the faithful and ecclesiastical goods, doth belong,' *Second Book of Discipline*, chapter viii. According to the *First Book of Discipline* deacons took part with elders in the exercise of church discipline, but not in other functions. Confusion resulted, the relation of the two orders, presbyters and deacons, not being clearly defined.

In the seventeenth and eighteenth centuries the office was not regarded as essential to the Presbyterian system, and it tended to disappear, probably because deacons had no *locus* assigned to them in Church Courts. Yet deacons continued to be appointed in many of the best organised parishes, specially in those in which the evangelical party was dominant. Of the congregations of the eighteenth-century Secession some appointed deacons; but the office secured no place in the constitution of the United Presbyterian Church. It was different in the Free Church. Chalmers revived the office in connection with the Sustentation Fund. It became an Ordained Office, and was a powerful agency in the Free Church, enlisting the services and securing the loyalty of young laymen.

The United Free Church leaves it in the option of congregations to appoint deacons, and two-thirds of its congregations avail themselves of the option. This causes no ecclesiastical irregularity, since the functions of deacons are exclusively congregational. It is regarded as one of those variations of congregational organisation which are advantageous within the church, or at least permissible, and which had parallels in the Apostolic Church, *cf.* Epistles to Timothy and Titus. It should be noted that since the sixteenth century the Diaconate has not been regarded as essential to Presbyterianism, even by those who have maintained the office.

THE ELDERSHIP

This office requires very careful scrutiny, in connection with the considerations which this Committee is called to keep in view. The *Presbyter*, not the *Presbytery*, is distinctive of Presbyterianism. He (1) is set apart for a spiritual office; (2) has a place in Church Courts, with a voice in all matters of doctrine and discipline; (3) discharges special functions in the Sacrament of the Lord's Supper.

To speak of the Scottish elder as an unordained layman would be as erroneous as to style him a 'cleric.' Yet the question is not one of terms. The history of Scottish Churchmanship and of Scottish religion is intimately connected with this office, which is also wrapped up in the present organisation of the Churches. The eldership differentiates Presbyterianism from Lutheranism, and also from most forms of Congregationalism. The prevailing opinion in the Church of England, that the laity should have a voice in Church affairs as a separate 'House,' is alien to Presbyterian ideas. It is true that the Ordination of elders does not qualify them to exercise the functions of the ministry. Yet it qualifies them to be members of all Church Courts. Presbyterianism has not, and has never had any Courts exclusively 'clerical.' Yet the 'Ordination'¹ of all the members of Church courts, including those who follow a secular calling, was held by the Scottish Reformers to be vital, and is still regarded as valuable.

¹ The 'ordination' to spiritual office of bankers, shipbuilders, farmers, shepherds, etc., was usual in the Church till the fourth century, and was exemplified in the First Ecumenical Council. The idea that a man cannot be 'ordained' because he holds a civil office, which first took shape in 451 A.D., is at variance with Presbyterian beliefs.

PAPER III

THE CONSTITUTION OF THE EPISCOPAL CHURCH
IN SCOTLAND

By the Very Rev. J. S. WILSON, M.A., Dean of Edinburgh

I.—INTRODUCTORY

THE Episcopal Church in Scotland has had an almost unique experience in having existed for a considerable period without any constitution whatever. Prior to the Revolution of 1689, during the periods of its recognition by the State, the Episcopal Church was not free to exercise its rights, as a national Church, to manage its own affairs. A code of Canons for its government had been promulgated in 1636 on the sole authority of King Charles I.; but obedience to these Canons was not enforced in the short interval between their promulgation and the overthrow of Episcopacy in 1638; nor was any attempt made during the later establishment of Episcopacy under Charles II. and James II. to revive them.

In the period just mentioned, 1661-1689, the Synods of several Dioceses adopted regulations providing for the performance of public worship; and in the Diocese of Aberdeen the Synod enjoined every minister within its bounds to promise to render due canonical obedience to the Bishop. But all efforts made by the Bishops and Clergy to obtain freedom from the thralldom in which they were held by the State were frustrated, and the desire they frequently expressed that a national Synod should be called to regulate the affairs of the Church was not attended to.

Consequently it is not to be wondered at that when the blunder of the Scottish Bishops in 'linking the Church's eternal youth to the fortunes of a dying dynasty' had resulted in the abolition

of the Episcopal form of government by the Civil legislature in power in Scotland after the Revolution, the dispossessed Episcopalians were utterly without organisation. All that the Bishops were able to do was to maintain the succession of their own order ; but they did this by consecrating Bishops without in the majority of instances assigning them to any See, or giving them any diocesan or defined jurisdiction. The Church adhered to Episcopacy as a principle, but had no fixed constitution or code of laws.

The first step towards the organisation of the Church was taken, at the request of the clergy in various parts of the country, when in 1727 the four remaining Diocesan Bishops met in Synod and framed a set of six Canons (relating exclusively to the Episcopal order) which may be regarded as the nebulous matter out of which the Constitution of the Church was gradually evolved. In these Canons regulations were laid down for the election of Bishops by the Presbyters of a Diocese, convened by one of their number (whom each Bishop was required to appoint ' in the place and stead of a Dean '). The result of the election had to be reported to the metropolitan or presiding Bishop. He again had to obtain the consent of the local Comprovincial Bishops before he proceeded to confirm the particular election, and to make provision for the consecration of the Bishop-elect. It is unnecessary for the purposes of this paper to trace the successive stages in the further development of this rudimentary Code of Canons during the troubled eighteenth century. But it is right to refer to the action taken by the Episcopal Church to comply with an Act of Parliament, passed in 1792, granting relief to its clergy from the penal prohibition of their ministry by the Acts of 1746 and 1748. The Act of 1792 had required, among other things, that the clergy must subscribe the Thirty-nine Articles of Religion as proof of their doctrinal agreement with the Church of England. A Convocation of the Bishops and Clergy was held in October 1804, at which it was unanimously agreed to give effect to this requirement of the Statute, by adopting the Articles of Religion ' as the public test and standard of the religious principles of ' the Church. The whole of the assembled Bishops and Clergy accordingly subscribed to the Book of Articles in the same terms as were at that time customary

in England, and which had been specified in the Act of 1792; acknowledging 'all and every the Articles therein contained being in number Thirty-nine, besides the ratification, to be agreeable to the word of God.'¹ The subscribing Bishops declared that they had also resolved to require a similar subscription from all candidates for Holy Orders as a condition to their ordination.

This agreement was reaffirmed in the Code of Canons passed at the first General Synod of the Church held in 1811, to which further reference will be made presently.

Now, apart from whatever limitation may be thought to be still imposed by the Act of 1792 upon the absolute freedom of the Episcopal Church in Scotland to determine its own constitution and regulate its own affairs, the legal position of the Church is quite clear. So long as it adheres to the procedure laid down in its Code of Canons for the enactment of the Canons which may be declared to be in force from time to time, these Canons define and contain its constitution. Not one of them is, or is declared to be, fundamental or unalterable. The Church has, with the possible exception just alluded to, a free hand to regulate its doctrine, discipline, forms of worship and government, undeterred by any inconvenient declaration of principle, or claim of right, self-imposed by former generations at a time of political crisis or excited controversy. It is free in every way, and is subject only to the perfect law of liberty under which it is loyal to the primitive principles and beliefs of the Catholic Church as the Holy Spirit of God guides it to understand and apply them.

Reverting then to the history of the development of the present constitution of the Church, the General Synod of 1811 was especially noteworthy in having marked an important stage in that development. It met in Aberdeen under the presidency of the Primus, Bishop John Skinner, and for the first time the Presbyters of the Church had a definite position given to them

¹ It must be noted that in 1890 a later General Synod altered the form of subscription to that which, in the interval, had been legalised in England by the English Canons of 1865, and the Clerical Subscription Act (28 and 29 Vict. Cap. 122) which required only a solemn declaration of 'Assent to the Thirty-nine Articles of Religion (and to the Book of Common Prayer and of the ordering of Bishops, Priests, and Deacons)', and of belief that 'the doctrine of the Church as therein set forth' is 'agreeable to the Word of God.'

as constituent members of the Synod. They were represented by four Deans of Dioceses, and by four elected delegates. The fifth of the twenty-six Canons which were enacted by this Synod laid it down that for the future every Synod called for the purpose of altering the Code of Canons should be constituted of two Chambers, the first consisting of the Bishops, and the second composed of the Deans and of representatives of the Clergy, one elected by each Diocese which could muster more than four Presbyters : and that no Canon should be enacted or abrogated except with the approbation of both Chambers.

Eight General, or as they are now styled Provincial, Synods have met since 1811, the last of them in 1911. And though the representation of the Clergy has been considerably enlarged, for the Presbyters of each Diocese are now allowed to elect one representative for every ten (or remaining fraction of ten) of their number qualified to vote in Diocesan Synod, the basal constitution of the Synod remains unaltered. No Canon can be passed except by a majority in each of the two Chambers. (At the last Synod, 1911, the membership came to seven Bishops, and forty Presbyters—including the Deans and the Pantonian Professor of Theology who is also an *ex-officio* member).

At the penultimate Provincial Synod, held in 1905, a new departure was made in conceding to representatives of the laity an indirect share in the legislative work for which the Provincial Synod is still directly responsible. An organisation was created under the name of the Consultative Council on Church Legislation, to consist of the Bishops and of elected representatives of the clergy and of the laity in equal proportion. This Council is canonically recognised to have the right of representing to the Episcopal Synod subjects which seem to need legislation, and of expressing its opinion (and votes may be taken by orders if this is called for) on any proposed legislation provisionally passed by the Provincial Synod. Therefore the Canons which were provisionally passed by the Synod in May 1911 were submitted in their precise terms to the Consultative Council, and the opinions expressed by the Council were taken into consideration by the Synod at its adjourned meeting held in December of the same year.

It happened that the Consultative Council had itself on this

occasion prepared the draft of the proposed revised Code of Canons which was submitted to the Synod, laymen in the Council taking a prominent part in the work of drafting ; and the Synod, though freely amending it, had the explicit assent of the Council to all that it finally enacted. It may be affirmed, therefore, that the Canons have obtained the consent of the laity as well as of the clergy of the Church. These Canons of 1911, fifty-three in number, are made the basis of the following statement describing the Constitution of the Episcopal Church in Scotland.

II.—THE CONSTITUTION OF THE EPISCOPAL CHURCH IN SCOTLAND

Ministry.—The Three Orders of the Ministry—Bishops, Priests, and Deacons, are retained inviolate.

1. BISHOPS are elected in each Diocese by Clerical and Lay electors, on a mandate issued by the Primus to the Dean. The Clerical electors are those Presbyters who are entitled to vote in Diocesan Synod. The Lay electors are appointed, one by each congregation, triennially, at a meeting of the Communicants male and female, of twenty-one years and upwards. No Lay elector is allowed to be elected during the vacancy in the See, the term of office of the last elected Lay elector being extended if no other has been elected to succeed him before the vacancy in the Bishopric occurs. A majority, both of the Clerical and of the Lay electors present at the meeting held for election, is requisite before a nominee can be held to be duly elected. The name of the person elected has then to be reported to the Primus, and the election must receive the expressed sanction of a majority of the Diocesan Bishops ; having obtained such sanction the Primus proceeds to confirm the election and to collate the Bishop when consecrated, which consecration must be performed by, at least, three Bishops. The election of a Bishop lapses to the Episcopal Synod if the Diocesan electors fail to make an election within six months after the date of the mandate.

THE PRIMUS.—The Bishops elect one of their number to be Primus, when a vacancy in that office occurs. The Primus presides at all Synods, or other meetings of Bishops, except

when they act as Trustees under any Trust Deed which provides otherwise. He has a casting, as well as a deliberative, vote in all cases where votes are equal, except in judicial cases ; but he is not an Archbishop or Metropolitan, being merely *Primus inter pares*.

2. PRESBYTERS and DEACONS must be ordained by a Bishop. Public notice is always given of their ordination, and the laity are thus given the opportunity of offering objection, if they know any reasonable cause why they should not be ordained. All Bishops, Presbyters, and Deacons are required to make certain subscriptions¹ before being ordained, and before being appointed to any office or cure, or (in the case of assistant clergy) before being licensed to officiate.

Patronage.—The patronage of cures of souls is regulated by the constitution of each congregation. These constitutions must always have been approved by the Bishop of the Diocese. In the great majority of cases, the patronage is vested in the vestry, appointed under the constitution of the charge ; in some cases, in fixed trustees ; in some cases, also, in the congregation ; in exceptional cases, in private patrons, or in the Bishop. The Bishop has the patronage of congregations not provided with a constitution, *i.e.* new missions. He has always the right to refuse a presentation, but an appeal against his

¹ The subscriptions required are :—

(1) A declaration (substantially in the form required by the Church of England) of assent to the Thirty-Nine Articles of Religion, and to the Book of Common Prayer and of the ordering of Bishops, Priests, and Deacons, and of belief that the doctrine of the Church as therein set forth is agreeable to the Word of God ; a declaration which expressly binds the subscriber in conducting public worship and in administering the Sacraments, to use the forms prescribed in the said Book, and none other—‘except so far as shall be allowed by lawful authority in this Church.’ The exceptions canonically sanctioned are : (i.) the Scottish Communion Office ; (ii.) a number of permissible additions to, and deviations from, the Book of Common Prayer scheduled in an appendix to the Canons, and (iii.) forms of prayer, etc., sanctioned by the Bishop of a diocese for use on special occasions.

(2) A promise to render due obedience to the Canons of the Episcopal Church in Scotland, and to the decisions and judgments of the tribunals of the said Church ; and (in the case of Presbyters and Deacons) to the Canonical injunctions of the Bishop of the Diocese.

This promise is expressly declared (in the Canon requiring it) to imply obedience to, and not necessarily approval of, all that the Canons contain.

(3) In the case of instituted Presbyters they have also to sign the Constitution of the Church in which they serve.

refusal may be taken to the Episcopal Synod, or to the Primus, by the patron or by the presentee.

Assistant-clergy are nominated by the clergyman in charge of a congregation. They must have specified educational attainments, and must be ordained (Presbyters or Deacons) or must receive a Title to Holy Orders, and must produce the requisite testimonials; but, if a Bishop, through confidential inquiries, discovers reasons which lead him to refuse to accept the nomination, the person nominating may require him to obtain the support of a majority of the Diocesan Bishops to his action. This enables the Bishop to submit the confidential communications he has received to his brother Bishops without violation of confidence. Lay-Readers may also be licensed by the Bishop to officiate in such ministrations as do not require the services of an ordained minister.

All instituted clergy (*i.e.* incumbents), and all licensed and assistant clergy who have served in the (Scottish) Church for two years as Presbyters, have a vote in Diocesan Synod.

Synods.—1. In each Diocese there is a Diocesan Synod which is required to meet annually. The Bishop presides (or the Dean in his absence) and no resolution of the Synod has force or effect unless the Bishop concurs in it. An appeal may, however, be taken to the Episcopal Synod if the Bishop withholds his concurrence from a resolution which has been supported by two-thirds of the voting members present.

Lay communicants of the Diocese may be present at the Synod, and male communicants may speak to any proposed resolution with permission of the Bishop, but may not vote.

The Diocesan Synod is the Court of first instance in accusations brought against clergy of the Diocese. The Bishop is bound to hear the opinions of the voting members before he pronounces judgment, but his judgment is not bound to tally with the opinions of the majority. An appeal may always be taken against it to the Episcopal Synod.

Such accusations as come before the Diocesan Synod must emanate from at least three male communicants of full age; but they may be instigated by the Bishop *ex proprio motu* through such person as he may appoint.

The Diocesan Synod may at any time, on notice given, represent to the Episcopal Synod subjects on which legislation is held to be desirable, for consideration by the Provincial Synod of the Church, and may do this without the concurrence of the Bishop.

2. The Episcopal Synod is composed of the Bishops only, and is required to meet at least annually. In addition to many matters of administration, it belongs to this Synod to determine when a Provincial Synod shall be held, and the subjects to be brought before it with a view to legislation. The Episcopal Synod deals with accusations brought against Bishops; such accusations must be made by at least three male communicants of full age, one of whom must be a clergyman. It is also the final Court of Appeal from the judgments and decisions of any Bishop, whether in his Diocesan Synod, or in cases of dispute referred to his decision in connection with the affairs of congregations in his Diocese. The Episcopal Synod may call in assessors, clerical or lay, when it hears appeals. In the Court of first instance (the Diocesan Synod) the Bishop may have his Chancellor (his legal adviser) as his assessor.

3. The Provincial Synod has sole authority to legislate for the Church, by enacting Canons. It consists of two Chambers, which sit separately. The First Chamber is composed of the Bishops; the Second of the Deans of the Dioceses, the Pantonian Professor of Theology, and the Principal of the Theological College, *ex officio*; and of elected representatives of the clergy; the Presbyters of each Diocesan Synod entitled to vote in it being empowered to elect one such representative for every ten or remaining fraction of ten of their whole number.

Every Canon, or alteration on a Canon, must be adopted by a majority of both Chambers.

The function of the Provincial Synod is limited to legislation. When it meets, it passes Canons provisionally, and must hold an adjourned meeting within a year to confirm the Canons provisionally passed, before they are enacted and come into force. In the interval before the confirmatory or adjourned meeting, the precise terms of the Canons as provisionally passed must be communicated to all the Diocesan Synods and also to the Consultative Council on Church Legislation; and these bodies must

be given an opportunity of expressing their opinions on such provisional Canons. At its adjourned meeting, the Provincial Synod is bound to take into consideration the opinions so expressed before confirming the Canons ; and at that stage it may not introduce any fresh amendment, other than verbal or drafting amendments, into them. It may, however, refuse to confirm any provision to which objection is made, if the objection commends itself to the Synod.

4. The Consultative Council on Church Legislation, above referred to, is composed of all the Bishops, of elected Presbyters and laymen in equal number ; five of each order being elected, triennially, by the Bishops, the others being elected, triennially, by the clergy and lay members respectively of the Diocesan Councils (the number of each order so elected being the same as the number of elected Presbyters which the Diocese is entitled to send to represent it in the Provincial Synod).

The Lay members of the Consultative Council, as also the Lay electors entitled to take part in the election of Bishops, are required as a condition of their appointment to sign a declaration that they are confirmed, and are communicant members of the Episcopal Church of Scotland, and of no other ecclesiastical body not in full communion with the same. No declaration or subscription is required from laymen as a condition of holding other official position in the Church, unless there is clause in the Constitution of a congregation requiring a declaration in the case of those elected to its vestry ; or of those qualifying as constituent members of the congregation.

In the Consultative Council, all the members sit and deliberate together, unless a separate debate in the three orders is called for ; and resolutions are passed (or negatived) by a majority of the members present ; but a vote by orders may be called for on any question.

The Consultative Council has not only the right to express an opinion on any proposed legislation, it has also the right to consult on any subject seeming to need legislative action and to make a representation thereon to the Episcopal Synod, just as Diocesan Synods are empowered to do.

5. The Episcopal Church in Scotland canonically recognises the Representative Church Council as the organ of the Church in

matters of finance. This Council consists of all the Clergy (including Bishops) of certain Diocesan lay-officials, and of lay representatives, one elected annually by the communicants of each congregation of the Church. It meets at least annually, and the clerical and lay members sit together, and vote together without any distinction of order.

In addition to having the control of general Church finance, the Representative Church Council may discuss any question whatever affecting the interests of the Church, and may refer it, if it see fit, to the Consultative Council on Church Legislation.

6. The members in each Diocese of the Representative Church Council form what is called the Diocesan Council of that Diocese. They can co-opt other laymen. The Diocesan Councils are required to meet at least annually. They have the same right to discuss questions as the Central Council. But in no case may consideration of questions of doctrine, or discipline, or modes of worship, be entered upon in recommending or making money grants.

The Diocesan Councils, as before noted, triennially elect the Presbyters and laity who represent the Dioceses on the Consultative Council on Church Legislation.

Conclusion.—The Code of Canons which defines the Constitution of the Episcopal Church in Scotland is alterable by the processes it prescribes. No part of the Code is declared to be fundamental or unalterable. In the case *Forbes v. Eden and Others* (1864) the House of Lords gave a judgment of great importance to the Episcopal Church, refusing to Rev. George Hay Forbes, the appellant, any redress against, or exemption from complying with, alterations which had been made in the Code by the Provincial (then styled the General) Synod of the Church in 1862-3, since the appellant was unable to show that the procedure in connection with the Synod had been other than as the Canons themselves prescribed.

8th December 1911.

PAPER IV

THE LEGAL STANDARDS OF THE CHURCH OF SCOTLAND AND THEIR BEARING ON THE UNION OF EPISCOPACY AND PRESBYTERY

By the late Rev. GEORGE W. SPROTT, D.D., Senior
Minister of the Parish of North Berwick

THE Legal Standards of the Church of Scotland are the Act of the Scottish Parliament of 1592, called the Charter of Presbytery, which was re-enacted at the Revolution Settlement, together with the Westminster Confession.

I.—THE ACT OF 1592

The General Assembly of 1593, the year after Presbytery was legalised, passed the following Act :—‘ Forasmuch as the visitation of the Presbyteries throughout the whole realm is thought very necessary, and from diverse assemblies commissions have been given to that effect, the necessity still existing, the Church and Commissioners as present have given commission to certain brethren to visit and try the doctrine, life, conversation, diligence, and fidelity of the pastors within the said Presbyteries, and also to ascertain whether there be any of the beneficed ministers within the same not resident, and who have no just cause of non-residence, to proceed, with the consent of Presbyteries, against all who have dilapidated their benefices, and tacks, and made other arrangements without the consent of the church, and to try slanderous persons unfit to serve in the Church, and unable or unqualified to teach and edify their brethren.’ Dr. Cook, in his history of the Church, comments on this Act as follows : ‘ This was certainly a wide step towards the restoration of Episcopal privileges. In this light it was regarded, and had the King,

availing himself of it, studiously conciliated the ministers, he might have seen what he was afterwards so desirous to introduce, a uniformity of ecclesiastical polity in both the British Kingdoms, with the concurrence of the great majority of the people.'

The power of appointing visitors for trying ministers and redressing all other Church disorders is specified in the Act of 1690, restoring Presbyterian Church Government. The Church has, therefore, power to appoint superintendents for such purposes, and thus to secure an executive as efficient as when under Episcopacy.

II.—THE CONFESSION OF FAITH

The Scots Confession of 1560, which was the law both of Church and State during both the first and the second Episcopacies; says that 'lineal descent' is not one of the notes of the true Church, but in the Latin translation prepared for transmission to other Reformed Churches, this is rendered *lineal descent from a perpetual succession of Bishops*, which shows that the necessity of succession through Presbyters was not questioned. The Westminster Confession contains nothing against Episcopacy, and both the Assembly of Divines and the English Parliament subscribed the Solemn League and Covenant on the express understanding that they did not condemn Primitive Episcopacy.

THE LAY ELDER

The Confession of Faith does not mention elders, but it refers to them in the thirty-first chapter as follows: 'As magistrates may call a Synod of ministers and other fit persons to consult and advise with about matters of religion, so the ministers of Christ by themselves, by virtue of their office, or they with other fit persons upon delegation from their churches may meet together in such assemblies.' The other *fit persons*, while referring to lay assessors generally, must include elders, otherwise they would be excluded from the higher church courts. In the thirtieth chapter of the Confession it is said that 'the Lord Jesus as King and Head of His Church, hath therein appointed a government in the hands of Church officers. To these officers the keys of the kingdom of heaven are committed, by virtue whereof they have power to

retain and remit sins to shut that kingdom against the impenitent, both by the word and censures, and to open it to penitent sinners by the ministry of the gospel, and by absolution from censures.' The Confession obviously restricts these functions to ministers only, though it allows laymen to take part in Synods. These laymen are spoken of as *other fit persons*, and they include 'the other Church Governors, whom Reformed Churches commonly call elders,' whose office is described in the Form of Church Government which was agreed to before the Confession of Faith. Different views of this office have been held by Presbyterians, and in this case, as in others, a wrong nomenclature has avenged itself by suggesting wrong ideas.

1. Some have contended that our 'elders' properly belong to The Diaconate. This is what we were taught at the Glasgow Divinity Hall by the learned Dr. Seaton Reid, Professor of Church History. I give his words: 'We find our ruling elders at Philippi under the general term deacon, *i.e.* servant or assistant. If we do not take it in this sense, where were our ruling elders in that Church at this advanced period of its history? The Apostle who had planted the Church was now addressing the church officers, and his object is manifestly to address them all. Still further, the Apostle in 1 Timothy iii. sets himself professedly to expound the qualifications of church officers. There is everything to convince us that he specifies all for whom we have any Divine warrant. Now he mentions only two, the bishop and the deacon, the former having the charge of a congregation, being the pastor or teacher, and the latter assisting in some way not explicitly mentioned, in or about the ruling of the Church. We ground one of the very weightiest arguments against the prelatists on the total silence of Paul here as to one of their three orders of the ministry. Now they may retort the same argument against us, and say there is not a word here of your ruling elder. This new officer of yours is wanting. We cannot evade the force of this retort, except we hold that the term deacon is the generic term assistant, and that all assistants to the ministry in the rule and government of the Church are included.' Dr. Reid might have seen that an Episcopalian could reply—If deacon includes ruling elder, why should not bishop also include presbyter? George Gillespie at Westminster gave some countenance to the

view that elders are included under deacons, but this is certainly not in accordance with the constitution of the Church, which treats them as separate offices.

2. A second opinion is that the Presbyter-bishops of the Apostolic Church were divided into two classes, those who besides ruling laboured in the word and doctrine, and those who ruled only. This distinction, it is alleged, is brought out in 1 Timothy v. 17—‘ Let the elders that rule well be counted worthy of double honour, especially they who labour in the word and doctrine.’ Our members of session, it is said, are the ruling elders here referred to, and it is a misnomer to call them laymen. In the Ignation Epistles we read of a bishop, presbyters, and deacons in each congregation, and they correspond to our threefold ministry of pastor, elders, and deacons.

3. A third view is what is called the lay theory of the office. According to it, our members of session are laymen chosen to represent the people in the government of the Church, in the exercise of discipline, and the censure of manners. The distinction drawn in 1 Timothy v. 17 is not between two classes of presbyters, but between presbyters in the same office, all of whom are required to be apt to teach, though all may not exercise that gift. Neither in this nor in any part of Scripture is there warrant for the ordination of a class of presbyters with authority to perform only one part of the duties of the office. It is, however, of importance that the clergy should be assisted in many of their duties by prudent and judicious laymen, and Scripture warrants the appointment of such men for this purpose. They can be traced through the *seniores plebis* of the Primitive Church, who are mentioned in patristic writings as acting along with, but as a separate class from presbyters. There is a fundamental difference betwixt this and the preceding view, turning on the point whether these assistants to pastors are ever referred to officially in the New Testament as elders, or presbyters, which is the same thing. If the two views were carried out they would result in different forms of church government.

Now the presbyter theory was definitely rejected by the Westminster Assembly, and the lay theory, after full discussion, received its emphatic sanction. The proposition to be debated at first stood thus—‘ That besides those presbyters that rule well

and labour in the word and doctrine, there be other presbyters who especially apply themselves to ruling, though they labour not in word and doctrine.' The conclusion arrived at was—'As there were in the Jewish Church elders of the people joined with the Priests and Levites in the Government of the Church, as appears in 2 Chronicle xix. 8, so Christ, who hath instituted a government and governors ecclesiastical in the Church, hath furnished some in the Church beside the ministers of the word, with gifts for government, and with commission to execute the same when called thereto, who are to join with the minister in the government of the Church—Romans xii. 7-8, 1 Corinthians xii. 28—which officers Reformed Churches commonly called elders.' These officers are distinguished from the *ecclesiastical* governors, and the idea that they are presbyters is carefully guarded against. On the first occasion on which the word 'elder' is used in the form of Church government it is defined thus—'The elder, that is, the pastor,' and this meaning is adhered to throughout. In the text from Chronicles the men who were joined with the Priests and Levites in the government of the Church are described as *the chief of the Fathers of Israel*. In the form of Church Government the presbyters and deacons of the Christian Church are represented as coming in place of the Priests and Levites of the Old Dispensation. In like manner the officers whom the Reformed Churches commonly call elders, correspond to the chief of the Fathers of Israel.

Many at the Westminster Assembly, for opposite reasons, had scruples about the insertion of the texts from Romans and Corinthians, but they were allowed on the understanding that an important question was left open. What this was appears from the explanation given by Marshall, the chairman of the committee which had prepared the draft, and which is recorded as follows in the minutes of Assembly, which are still unpublished: 'It is feared that these texts were brought in to hold out an institution; on the other hand, that they hold out only a permission, but these words were put in that every one may enjoy his own opinion.' That is to say, after rejecting 1 Timothy v. 17, and with it the presbyter theory, the proposition and its Scriptural proofs were so worded that those who thought the texts amounted to an institution of the office of lay church governor,

and those who thought that they merely warranted it, might enjoy their respective opinions. In other words, there is no trace of ruling elders in Scripture, and the admission of the laity to a share in the government of the Church may, or may not, be regarded as a matter of Divine Institution. Baillie, one of the Scots Commissioners at Westminster, writes in his letters, ' We have been in a pitiful labyrinth these twelve days with the ruling elder. All are willing to admit elders in a prudential way,' but he goes on to mention the names of eminent men who were flatly opposed to the idea of a Divine Institution of the office. And Richard Baxter, who knew the English Presbyterians well, states that three out of four of them did not believe in ecclesiastical elders.

All that the advocates of ' ruling elders ' have to say against this is that the Form of Church Government says that the power of ordination pertains to ' preaching presbyters,' and that this is an acknowledgment that there are presbyters who do not preach. No doubt it is so, for the phrase was then in common use to mark the difference not betwixt so called ' teaching and ruling elders,' but betwixt the clergy who preached and those who did not. The Form of Church Government was approved by the Church of Scotland in 1645, and though not now a legal standard of the church, it shows us what we are to understand by the lay church governors of the Confession of Faith.

It is of great importance to get rid of the ruling elder theory, as it is a serious hindrance to the cause of reunion. No one outside of Presbyterianism believes in it, while most communions allow the laity a share in the government of the church. In particular it removes a bar to union with Episcopacy. Under both the first and the second Episcopacy there were lay elders, and they were admitted to office just as they have always been in the church when under Presbyterian government. Indeed it is to the Episcopal section of the Church in former times that we are indebted for particular sessions, *i.e.* a Kirk Session in every parish.

Part of the foregoing paper is taken from reports on Kirk Sessions given in to the General Assembly in 1872-3, and which were written by me, owing to the illness of Principal Campbell, the Convener.

G. W. SPROTT.

P A P E R V

THE DOCTRINAL STANDARDS OF THE CHURCH OF
ENGLAND AS BEARING ON THE QUESTION OF
NON-EPISCOPAL ORDINATION

A Paper read by the late Right Rev. John Dowden, D.D., LL.D.,
Bishop of Edinburgh, in the Episcopal Church in Scotland.

The question which I propose to investigate is this—Do the formularies of the Church of England deny the validity of non-episcopal ordination (meaning by this expression, for my present purpose, ordination by those who are not bishops as distinguished from presbyters) ?

The only doctrinal formularies of the Church of England, the only doctrinal formularies to which subscription is required from the clergy of the Church of England, are the Thirty-Nine Articles of Religion and the Book of Common Prayer, including the Ordinal.

1. We turn first to Article 23, entitled ‘Of ministering in the congregation.’ It runs as follows: ‘It is not lawful for any man to take upon himself the office of public preaching, or administering the Sacraments in the congregation before he be lawfully called and sent to execute the same. And those we ought to judge lawfully called and sent, which be chosen and called to this work by men who have public authority, given unto them in the congregation, to call and send ministers into the Lord’s vineyard.’

The first thing which strikes us after reading this Article is that in a place where, above all others, we might reasonably look for a clear statement of the necessity of episcopal ordination, such statement is glaringly absent. And, more than this, an awkward and lumbering circumlocution is adopted, as if expressly to avoid such an assertion.

The most careful and scholarly of the historical students of the

history of the Thirty-Nine Articles, the late Archdeacon Hardwick, shows that the first part of the Article before us was derived from the Confession of Augsburg, and was directed against the Anabaptists, who allowed the ministry of any one who claimed to have been internally called by the Spirit, though he had received no external vocation. But it is the second part of the Article which bears upon the question before us : and this second part appears to have been derived substantially from certain Articles, which were drawn up in the year 1538, when conferences were held in England between German Lutherans and English Churchmen, with a view to an agreement.¹ This fact makes plain the reason for the vagueness of the original document. And it was probably with an eye to the Reformed Churches abroad that the Article before us was drawn up in the year 1553, substantially in its present form.

2. The only other statement in the Formularies of the Church of England which can be regarded as bearing on the subject before us, will be found in the Preface to the Ordinal. An examination of its contents makes plain that the object of the Preface is to state clearly the law of the Church of England as regards its own internal organisation. It makes no pronouncement as regards other Christian communities. Let us examine the document.

The Preface begins with a statement summing up the historical view of its author. ' It is evident unto all men diligently reading the Holy Scripture and ancient authors that from the Apostles' time there have been three orders of ministers in Christ's Church—Bishops, Priests, and Deacons. I am not concerned to-day in considering whether this is accurately stated or not. Personally, I express my belief that it is both accurately and modestly stated. It does not assert that these three Orders were in the primitive age to be found everywhere. It does not say that these three Orders were essential to the being of the Church.

In the next sentence the document goes on to make another statement, which is also historical in character. ' Which offices were evermore had in such reverend estimation that no man might presume to execute any of them, except he were first called, tried, examined, and known to have such qualities as are requisite

¹ See Hardwick's *History of the Articles of Religion* (edit. 1859), pp. 20, 57-60, 104, 269.

for the same ; and also by Public Prayer with imposition of Hands were approved and admitted thereunto by lawful authority.' Observe the expression 'lawful authority' ; what was meant by 'lawful authority' is not defined.

The English Reformers had resolved for their own Church to continue the three Orders of Bishop, Priest, and Deacon ; and the Preface proceeds as follows. 'And, therefore, to the intent that these Orders may be continued, and reverently used and esteemed in the [this, in 1550] Church of England ; no man shall be accounted or taken to be a lawful Bishop, Priest, or Deacon in the Church of England, or suffered to execute any of the said functions except he be called, tried, examined, and admitted thereunto, according to the form, hereafter following, or hath had formerly Episcopal consecration or ordination.'

The last eight words of the foregoing paragraph took their present shape at the revision of the Prayer Book and Ordinal in the year 1662. And it is not improbable that they were so framed to meet the cases of certain ministers of the Scottish Church, which had suffered the overthrow of its external organisation in the year 1638. Some of these ministers had fled to England and eventually received benefices there. They had been Episcopally ordained, but not by the form of the English Ordinal. It was not contemplated that they should be dispossessed. The corresponding words in the Ordinal of 1549-50 were of course to meet the fact that all the leading Reformed clergy of that date had received ordination in accordance with the pre-Reformation Ordinal.

The results of this examination of the documents are that while the Church of England firmly insists on the maintenance of the three orders for itself, the language of the formularies which have to be subscribed by the clergy of that Church are absolutely silent with regard to the validity of the ordination given in Churches where the three Orders are not maintained. And, as is well known, many among the most distinguished of English theologians have expressed themselves in language that cannot be construed consistently with a universal denial of the validity of non-Episcopal ordination.

APPENDIX A

Some illustrations of the opinions of eminent divines of the Church of England.

1. Richard Hooker, the learned defender of the lawfulness and apostolic origin of Episcopal government. 'There may be sometimes very just and sufficient reason to allow ordination made without a bishop.' (*Ecclesiastical Polity*, VII., xiv. 11, Keble's edition. See also Book III., chap. xi.)

2. Lancelot Andrewes, Bishop, successively of Chichester (1605), Ely (1609), and Winchester (1619). He was the most learned prelate of his time, and, to use a popular form of expression, the leading 'high churchman' of his day. A well-known minister of the French Reformed Church, Pierre du Moulin, had objected to the expression that the episcopal polity of the Church of England was *jure divino*, and had inferred that such a statement was equivalent to condemning to perdition all the Churches which lacked Episcopal government. Bishop Andrewes, who was on very friendly terms with Du Moulin, replied: 'Nor yet, if our (form of polity) is of divine right, does it thence follow either that there is no salvation without it, nor that without it a Church cannot stand. He would be blind who does not see Churches stand without it. . . . It is possible that something which is of divine right, at least in external government, may be lacking, and yet salvation be had. . . . It is not to condemn a thing to prefer something else to it. It is not to condemn your Church to call it back to another form (of polity) which is more agreeable to all antiquity.' The original Latin of the letters of Du Moulin and Andrewes will be found in the *Opuscula Posthuma Lanceloti Andrewes* (Oxonii, 1852), pp. 189-192.

3. John Bramhall, appointed Archbishop of Armagh in 1661. He was a man of much learning, and belonged to the 'high church' school. He had suffered much during the Great Rebellion. His works are published in the Library of Anglo-Catholic Theology (Oxford, 1842-1845). 'Episcopal divines will readily subscribe to the determination of the learned Bishop of Winchester, in his answer to the second Epistle of Molineus [he here quotes the passage given above]. This mistake proceedeth

from not distinguishing between the true nature and essence of a Church, which we do readily grant them (non-Episcopal Churches) and the integrity and perfection of a Church, which we cannot grant them without swerving from the judgment of the Catholic Church.' *Works*, iii. p. 518.

4. John Cosin, Master of Peterhouse, Cambridge (1635), Dean of Peterborough (1640), Bishop of Durham (1660). His influence at the last revision (1661) of the Book of Common Prayer was very great. His letter to Mr. Cordel, encouraging him to partake of the Communion in the congregation of the French Reformed Church, is well known. It will be found printed in Cosin's *Works*, vol. iv. pp. 400-409 (Library of Anglo-Catholic Theology).

These illustrations have been purposely drawn from English divines of the 'high church' school. It would be easy to cite passages from a score of other eminent divines of the Church of England to the same effect as the above.

APPENDIX B

Formularies of the Episcopal Church in Scotland as bearing on this question.

The form of subscription to the Thirty-Nine Articles and the Book of Common Prayer is the same as that in the Church of England. But it may be proper to notice the Code of Canons of the Episcopal Church in Scotland. Canon I. declares that the Episcopal Church in Scotland 'retains inviolate in the Sacred Ministry the Three Orders of Bishops, Priests, and Deacons, as of Divine Institution.' Without discussing what inferences may be legitimately drawn from the words 'as of Divine Institution,' it is enough to cite the remarkably liberal declaration of Canon XII. § 3 'The form of subscription promising obedience to the Canons of this Church implies only obedience to their requirements, and not necessarily approval of everything therein contained, or that may be supposed to be inferred therefrom.'

SERIES II

PAPER I

SUPERINTENDENTS AND BISHOPS IN THE CHURCH OF SCOTLAND

1560-1610

By REV. PROFESSOR COOPER, D.D., D.LITT., D.C.L.

FROM 1528 ‘the reek of Patrick Hamilton,’ the protomartyr of the Scottish Reformation, had been ‘infecting all that it blew upon.’ Such was the progress of the ‘new opinions’ that when, in 1560, the Reformed Party—by the aid, no doubt, of the English troops¹—came into power, they carried through the ‘Parliament’ of that year a public authorisation of their *Confession of Faith and Doctrine*,² and a series of Acts abolishing the authority and jurisdiction in Scotland of the Pope, and forbidding, under pain of death for the third offence, the saying of the Romish Mass. The terms of this last Act were sanguinary enough, but they were on paper only; and the boast of Lord Cromarty is justified that ‘there was scarce a Reformation in Europe that was carried through with so little violence either to the lives or to the property of those who adhered to the doctrines and communion of the Church of Rome.’³

The Bishops who in 1560 filled the Scottish sees were not men who could by any possibility have taken the lead in any reformation. A reformation, they confessed, was needed; but they themselves possessed neither the character nor the abilities to fit them for effecting it. We had no Cranmer, no Gardiner, no Latimer or Ridley or Tunstall among the prelates of that day. The last of the few ‘lamps of holiness and learning’

¹ See Mathieson, *Politics and Religion in Scotland*, i. p. 70.

² The Confession was read and accepted as Divine truth, and was authorised ‘as a doctrine grounded upon the infallible Word of God.’

³ MS. Introduction to Records of Assembly, in General Assembly’s Library. Bellesheim mentions the execution of two priests, but these were few and undistinguished in comparison with the victims of Henry VIII.

who had recently adorned the Scottish Episcopate, Bishop Robert Reid of Orkney, died at Dieppe in 1558; and in the very year of the Reformation he was followed to the grave by one who, if he was like others of his house, had some claim to learning, Bishop Panter of Ross. The Primate, John Hamilton, was not without ability, but his life was vicious; the Bishops of Brechin, Aberdeen, Moray, and Galloway were notoriously immoral;¹ the Archbishop of Glasgow had taken his departure for France; the Bishops of Dunkeld and Dunblane were vehement Romanists.

Of the five who took the side of the Reformers, Bishop Campbell of the Isles was dead before 1566; and Bishop Hamilton of Argyll seems to have cared more for the great house to which he belonged than for any ecclesiastical interest. In 1567 we find him with his relations signing a bond for setting Queen Mary at liberty; and though he may have retained his see it is not as Bishop that he makes his last appearance in 1575, but as Commendator of the Abbey of Saddel, which, however, had formerly been annexed to his Bishopric. Bishop Keith doubts if he had been ever consecrated Bishop, but he seems certainly to have been a priest, a point which Bishop Keith denies in the case of another, Robert Stewart, Bishop of Caithness, a high-born prelate, brother of the third Earl of Lennox the father of Darnley, and therefore the grand-uncle of King James VI., and not likely to be over-friendly to Queen Mary. It has been denied that Stewart was ever consecrated; but it is difficult to think that he was not. He was 'elect' of Caithness so early as 1542, in which year the Pope, with an apology for his youth, committed to him the care of his cathedral church: to the end of his life he appears and acts as 'Bishop of Caithness,' and enjoys the revenues of that see. If he was never consecrated, the Bishopric of Caithness for eight and twenty years was under the charge of a merely titular Bishop. The Reformers, whose Confession he had approved as grounded in the Word of God, at the Parliament of 1560, treated him as a minister at once; the Assembly of 1563 'gave him commission for the space of a year to plant kirks within his own bounds'; this commission was renewed in 1568, when it 'was thought meet that he should have for

¹ They all had illegitimate children.

stipend the whole third of his Bishopric demitted' (apparently he had abjured his 'mission' from the Pope) 'provided he sustain ministers in his own [mensal] kirks thereon.' The Assembly of 1570 continues 'John Gray of Fordell,' who had taken great pains before in the oversight of the said country, in 'the superintending of the said diocie, with the assistance of the Bishop thereof, head commissioner of the same.'¹ Stewart had probably at this time his main residence at St. Andrews, where he succeeded the Regent Moray as Prior (or commendator) of the dissolved Augustinian house, and was made Dean of the reconstituted cathedral chapter; in 1578 he became Earl of Lennox, but he resigned that title to his nephew, Esmé d'Aubigné, and was then made Earl of March. In the records of the Assembly, however, those secular honours are never mentioned. There he is Bishop of Caithness to the end. He died in 1586 at St. Andrews, where the remains of his once magnificent tomb may be seen in the recently restored chapel of St. Leonard's. In spite of Bishop Keith the writer sees no reason to doubt his consecration; ² and he is equally convinced that two other prelates who joined the Reformers—the Bishop of Galloway, Alexander Gordon, and the Bishop of Orkney, Adam Bothwell, were really Bishops. The former had been Bishop of the Isles from 1553, and the Pope had conferred on him the title of Archbishop of Athens. The latter tells us that 'according to the order then' (*i.e.* before the Reformation) 'observed' he had been 'provided Bishop of Orkney'; and he was employed for a function which only a real Bishop could legally perform—the somewhat risky coronation of James VI. Of the services of both these prelates, as well as of the Bishop of Caithness, the Reformers (though with a reluctance which does them credit) ere long availed themselves. But both were time-servers: Gordon, as has been said, had been immoral; Bothwell was not particularly admirable in point of character.

And so it came to pass that, in the words of the famous Act of the Scottish Parliament of 1690, the Scottish people 'were

¹ See *Book of the Universal Kirk*, i. pp. 32, 130, 190-192.

² This was the opinion of the late Dr. Sprott, communicated in one of his latest letters to the writer.

reformed from Popery by Presbyters.' The reference, I take it, is specially to the 'six Johns' who, in compliance with the request of Parliament, collaborated in the preparation of the Confession of Faith of 1560. These all were in priests' orders: five of them, Knox, Willock, Row, Douglas and Winram, had been priests of the Roman Catholic Church; the sixth, Spottiswood, retiring from Scotland in disgust at Beaton's persecutions, had been ordained priest in England by Archbishop Cranmer,¹ who persuaded him to study for the ministry. Knox had held preferment in the Church of England as a Court Chaplain to King Edward VI. Willock, who is deemed second to Knox alone in the extent of his influence among us, had been Chaplain to the Duke of Suffolk (father of Lady Jane Grey); and he spent the later years of his life as Rector of Loughborough, whence he was in the habit of coming north to 'visit' as a Superintendent in the Church of Scotland his 'district' or 'diocese' of Ayr, and sit as Moderator in four General Assemblies—those of 1563, 1564 (June), 1565 (June), and 1568 (July).

1560-1572—SUPERINTENDENTS

It is undeniable, of course, that our *Reformers did not believe* that *Bishops are an order superior by Divine right to Presbyters*, and always necessary to the very existence of a Church. Many divines have agreed in this with our Reformers, and it is worth noting that, in Scotland, where the view has always found favour, it was taught long before the Reformation by the ablest of our mediæval historians, John of Fordoun.² But so far were our first Reformers from holding on the other hand a *necessary parity of ministers*, that one of their first acts was to appoint Superintendents for 'Dioceses,' who were to hold office for life; and where a Superintendent was not available, to appoint 'Visitors of certain parts of the country and Commissioners for

¹ T. F. Henderson in *Dictionary of National Biography*. The fact of Spottiswood's being already a minister may explain why, in the office for 'the election of a Superintendent' (which was drawn up by Knox in 1560 for this particular case), there is no laying on of hands.

² *Chronica Gentis Scotorum*, iii. p. 8. 'Ante cujus (Palladii) adventum habebant Scoti . . . presbiteros solummodo, ritum sequentes Ecclesie primitivae.'

provinces to act in the interval between one Assembly and another.' Lord Cromarty speaks of 'the number of Superintendents then *appointed* (1560) *by the clergy*, and their dioceses.' That Knox and his friends at that time desired them is clear from the *First Book of Discipline*, which commits 'the examination' of candidates for the ministry to 'the Superintendent and brethren in the principal kirk of the diocese or province,' declares their 'necessity,' and defines their visitational and pastoral duties.

Two questions in regard to these Superintendents have been much discussed by our historians: (1) What was the fundamental nature of the office? and (2) Was it meant to be permanent, or temporary, or even tentative? In regard to the first, it is clear from the account of the office in the *First Book of Discipline* that no difference of *order*—as distinguished from that of *office*—was for a moment thought of, at least by the authors of that book. The view is exactly that of the great writer—a Presbyterian two centuries before the Reformation—from whom there is some probability that it was borrowed, Marsilius of Padua, who, after arguing that 'Bishop' and Presbyter are titles applied in Holy Scripture to one and the same person, had explained the rise of the episcopate as follows: 'But after the time of the Apostles, the number of priests having notably increased, in order to avoid scandal and schism, the priests elected one from among themselves who should direct the others and take order (ordinaret) in all things bearing on the exercise of the ecclesiastical office and service and the distribution of things offered, and dispose other matters in a more convenient fashion, lest, if every man took his own way, the economy and service of the temples should be disturbed through the diverse likings of different ministers. He, because elected for the regulating of other priests, appropriated, according to the usage of later times, to himself alone the name of Bishop, as it were of Superintendent; for the reason that he was not simply a Superintendent of the people (on which account the priests used in the Primitive Church to be called Bishops), but also because he superintended the rest of his fellow-presbyters.'¹

The Scottish Superintendents, then (although they may have

¹ *Defensor Pacis*, Part II. chap. xv.

discharged certain of the functions of a consecrated Bishop), were not in the years between 1560 and 1571, a higher *order* in the ministry; or, as Henderson and his friends of the National Covenant afterwards expressed it, there was under them no 'hierarchy' in the Church of Scotland.

To the second question, Whether they were meant to continue? I myself would be inclined to answer, Yes, and *they were meant to last* (though always 'subject to the censure and correction not only of the synodal convention, but also of their own kirk, and others within their jurisdiction'¹) *just until the bishoprics should fall vacant*. I am aware that this is a new view; but I believe it to be true: it seems to me the only one which fits the facts. It must be remembered always that though the Reformers of 1560 had been able to get their Confession of Faith acknowledged as agreeable to the Word of God, their projected *polity* had not been accepted even by the Parliament which owned their doctrine; and that they had by no means the power, between 1560 and 1571, however strong might be their wish, to unseat the existing holders of the episcopal sees, related as most of these were to the most powerful of the Scottish nobles—the Bishops of Aberdeen and Galloway to the Earl of Huntly, the Bishop of Moray to the Earl of Bothwell, the Bishops of Brechin (Donald Campbell, 1558-1562) and the Isles (John Campbell, 1558-1566) to the Earl of Argyll, the Primate and the Bishop of Argyll to the Duke of Châtelherault. These men, in the eye of the law, and by the aid of their powerful connexions, were still Bishops of their dioceses and Lords of Parliament: the Reformed Church might assign to others their spiritual functions, but she could do it, as yet, only by a sort of makeshift, and in a temporary fashion. What she did when most of those men were out of the way, and when she herself attained to political power, we shall see as we proceed.

For the present it may be sufficient to note that the Superintendents were not Bishops either by civil law or by ecclesiastical consecration. But they were officers in the Church of Scotland as reformed, and they continued for a space.

Spottiswood says that Superintendents were appointed by 1560

¹ *First Book of Discipline*.

common advice of the Reformed immediately after the French army left, in 1560,¹ in which year the *Form for the election of a Superintendent* appears in 'John Knox's Liturgy.'

1561. That they existed in 1561 is proved by the humble complaint addressed 'to the Lords of Secret Council' by the General Assembly of that year 'for maintaining and special provision to be made for Superintendents.' John Knox again insisted that these Superintendents were 'necessary.' They received not only a larger stipend but greater honour in the General Assembly, in whose rolls of membership they form a group by themselves, taking rank before ordinary 'Ministers.' In 1564 the Assembly petitioned Queen Mary 'that Superintendents be placed where none are within this Realm'—a step which shows that the Church wished *the Crown* to take similar action in regard to their appointment, as before the Reformation it had done in regard to that of Bishops. And they are regularly continued till 1572, when it was resolved that the Episcopal sees as they fell vacant should be filled with ministers *consecrated* to the Episcopate.

1562. Not one of the five Bishops who embraced the Reformation sat in the very earliest Assemblies; the first to appear is the Bishop of Galloway, who petitioned the Assembly of 1562 'anent the superintendency of Galloway.' The Assembly could not like his character, and showed itself reluctant to employ him. He 'had not observed the order kept in the election² of superintendents, and therefore the Assembly cannot acknowledge him a Superintendent "lawfully called" for the present, but offers him their aid and assistance if the kirks of Galloway make suit to have him and the Lords present him, and requireth that before he depart he shall sign the *Book of Discipline*.' By June, however, of next year he has 'gotten commission to plant ministers, exhorters, readers, and other

¹ Spottiswood, *History of the Church of Scotland, anno 1560*.

² *Book of the Universal Kirk*, i. p. 31. The Assembly will not allow that his 'mission' from the Pope entitles him to mission in the Reformed Church, and therefore speaks of him as 'called' or 'entitled' Bishop of Galloway. 'The questions of the day were those of Jurisdiction, which the pre-Reformation system derived from Rome—and the Reformers were resolute to derive nothing of the sort from Rome. It is to this jealousy as their ruling motive that we should ascribe their insistence on the acceptance of Mission as from the Church reformed, even by persons already in orders' (*Reunion, the Necessary Requirements of the Church of Scotland*, p. 27 note).

office-bearers requisite for a reformed kirk within the bounds of Galloway.' 'Adam, Bishop of Orkney,' sits and acts as member of the Assembly of 1563, and is Superintendent of the island diocese.

Queen Mary had returned from France in 1561. She never 1561.
acknowledged the Parliament of 1560, nor do its records appear in the collections of the printed Acts of the Scots Parliaments : indeed, they are lost. She had, of course, willingly or unwillingly, to tolerate the Reformation where it had succeeded in 1565.
establishing itself ; but, in 1565, she gave great offence to the Reformed by appointing a Roman Catholic—her friend and 1566.
historian, John Leslie—to the Bishopric of Ross. Next year, 1567.
however, she took a different line, and filled two sees which then fell vacant with two Protestants. Brechin she gave, on the recommendation of the Earl of Argyll, to Alexander Campbell of Ardkinglas. Like too many of the pre-Reformation prelates he was a mere youth at the time ; but, notwithstanding this, no notice of her act seems to have been taken in the Assembly. The See of the Isles¹ she gave to one already eminent in the ranks of the Reformers, John Carswell, Rector of Kilmartin, who had been Superintendent of the Isles since 1562. Whether the Assembly liked this appointment or not, it said nothing at the time ; and next year we find it remitting to Carswell (but by the title itself had given him, ' Superintendent of Argyll ') the task of investigating certain charges against the Earl of Argyll. And if, two years later (after the Queen's deposition), 1569.
the Assembly does reprove him for ' accepting the Bishopric of the Isles *without making the Assembly foreseen,*' it adds to this fault another, ' and for riding at and assisting of the Parliament holden by the Queen after the murder of the King.' Yet, on the other hand, so far from deposing him, it places him (still under the title ' Superintendent of Argyll '), along with Knox, Lindsay, Row and others, on a commission appointed to present to the Regent certain ' articles ' in regard to stipends, etc., and ' for the planting of Superintendents throughout the whole Realm as already are in some parts.' Already, in 1567, Carswell had been employed by the Reformers to translate into Gaelic *John Knox's Liturgy*, and he continued to hold at once his Bishopric of the

¹ See the remarkable terms of her presentation in Keith, *Scottish Bishops*.

1572. Isles and an eminent place among the clergy of the Reformed Church till his death, which took place in July or August 1572. He was in fact the chief Reformer of the Highlands, and local tradition still enshrines his memory, telling of his gigantic stature and powerful frame, of the unparalleled storm amid which his body was brought from Kilmartin to Loch Etive; and how the bearers, too exhausted to carry it up the hill to the ancient Chapel of S. Modan, were fain to bury it within the precincts of Ardchattan Priory. It was found there not long since.

1567. Meanwhile, on the 24th of July 1567, Queen Mary had been compelled to abdicate her throne; and in December of that year, while she lay in prison at Lochleven, the Regent Moray had held a legal Parliament, which not only ratified the Confession of 1560, but also declared the Reformed the 'only true and holy Kirk of JESUS CHRIST within this Realm.'

The Reformers now were masters of the situation. They had a free hand, under 'the Good Regent.' Did they use their power to set up Presbyteries, establish 'parity,' and abolish Superintendents, as no longer needed? On the contrary, the power which the Presbyteries afterwards received—the essential power of 'admitting' ministers—was recognised, by the Act of Parliament which they procured, to lie wholly in the hands of the Superintendents. 'The presentation to laic patronages,' says the Act (James VI. 1st Parlt. 6, 7) 'is reserved to the just and ancient patrons,' and the patron is required to present a qualified person *to the 'Superintendent of that part where the benefice lies, or'* (where there is no Superintendent) 'to the commission of the Kirk to that effect.' There is a hint, or more, of the Synod in the clause which allows an aggrieved patron to appeal from the Superintendent alone to 'the Superintendent and the ministers of that Province,' and from them if need be, to the General Assembly. But one may search in vain for any reference to the Presbytery which, where in germ it existed, was as yet a mere conference of neighbouring ministers for the 'exercise' of united prayer and mutual instruction.

1570. Such was the established government of the Church of Scotland as it stood in 1570, when the Regent Moray was assassinated; and in September 1571, when his successor, the Regent Lennox, died of wounds received in a skirmish at Stirling.

The new Regent, the Earl of Mar, was a namesake and a kinsman of the eminent Reformer, John Erskine of Dun, the Superintendent of Angus, whom he naturally consulted in all matters ecclesiastical.

THE CONVENTION OF LEITH

SUPERINTENDENTS AND BISHOPS

(Might be called 'The First Episcopacy')

1572-1592

By 1572 the pre-Reformation Bishops were dying out. The Primatial See of St. Andrews was vacant by the execution of Archbishop Hamilton, on a charge of complicity in the murder of the Regent Moray. The Archbishop of Glasgow was still absent from Scotland. The Bishop of Ross was a prisoner in England. The Bishops of Aberdeen¹ and Moray,² who had complied sufficiently with the Reformation statutes to keep their places and their pensions, were getting old: the Bishops of Caithness, Orkney, and Galloway, were giving regular and active service among the Reformed in their several dioceses: if Bishop Hamilton of Argyll was of little use, the new Bishop of the Isles was Superintendent of that diocese as well as Bishop of his own: if the Bishop of Brechin was a youth he was well disposed, and his see was taken charge of by Erskine of Dun as Superintendent of Angus. During the life of Archbishop Hamilton of St. Andrews, Spottiswood and Winram had been Superintendents of that huge diocese in its parts of Lothian and Fife respectively. The neighbouring dioceses of Dunkeld and Dunblane (the only two whose Bishops were now professed and ardent Romanists) were supervised from Perth by John Row as 'Commissioner' from the General Assembly.

Practically—as far as the work of oversight, trial, and government was concerned, though not in respect of episcopal orders (not, as has been said, a 'hierarchy')—the Superintendents and Commissioners were Bishops; Erskine of Dun said plainly that,

¹ See *Chartulary of S. Nicholas*, Aberdeen, ii. p. xlii.; cf. *Miscellany of the Old Spalding Club*, ii. pp. 45, 46.

² See Cramond, *Records of Elgin*, i. p. 215.

‘ Bishop and Superintendent were all one ’ ; the Superintendent of Fife, John Winram, who died in 1582, is described on his tombstone as ‘ Bishop of the people of Fife.’ There were reasons of State, at any rate, why they should not only be *called* Bishops, but *be* Bishops. The Reformation was making way in Scotland, but it still needed, as in 1560, the help of Queen Elizabeth ; and was there not a reason in religion as well as in policy that the Church of the Northern Kingdom should be in fullest communion with those whom the Assembly had formally addressed in December 1566 as ‘ their brethren the Bishops and Pastors of England, who have renounced the Roman Antichrist, and do profess with them the Lord Jesus in sincerity ’ ?¹ The two kingdoms were already looking forward to a union of the Crowns. In both, the Roman Catholic party was still formidable. In regard to Scotland itself, the Bishops were by the constitution of the Realm the proper representatives of the Church in Parliament ; and, whether the power of the Crown was held by Protestant or Papist, Regent or King, they were needful to support the Royal authority at a time when the great lay nobles were still a menace to the central government. To the Church it was a matter of vital interest that the Bishoprics should neither be given (1) to *laymen*, which would have meant the secularisation of revenues dedicated for the general purposes of the Church in the several dioceses ; nor (2) to *ministers to whom no place had been assigned in the constitution of the Church as now established*. The Church needed Superintendents : she had herself determined that Superintendents required, for the expenses of their work, a larger stipend than stationary pastors.² Why should they not be real Bishops, subject to the Assembly (that was a *sine qua non*) but qualified, alike by civil and ecclesiastical law, to represent the Church in Parliament, to draw the legal revenues of their sees and use these in furtherance of the Reformation, and to take the oversight, as the Superintendents had done, of the Kirk of God ?

There were thus a great many points to be considered, and on the 12th of January 1571-2 a large Convention met at Leith, at which were present ‘ the Superintendents, Barons, Com-

¹ *Book of the Universal Kirk*, i. p. 85.

² Willock, as Superintendent of the West, had £1000 a year, and lived in Dean’s house at Glasgow.

missioners to plant Kirks, Commissioners of Provinces, Towns, Kirks, and Ministers, Mr. Gilbert Gairdin being continued Moderator.' It was unanimously resolved that 'this present Convention should have the strength, force and effect of a General Assembly,' whereupon it proceeded to appoint a Committee—on which were John Erskine and John Winram, David Lindsay, Robert Pont, and John Craig—to 'compear before the Regent and a Committee of Lords by him selected,' to state, on the one hand, the desires of the Kirk, and on the other hand to confer and reason with his Grace on any heads and articles 'prepared' to the Church by him.

When the parties met, the Regent was represented by the Earl of Morton, the Lord Ruthven, the Bishop of Orkney, the Commendator of Dunfermline and others, and on the 16th of January they came to an agreement in these terms:—

'Anent Archbishoprics and Bishoprics it was thought, in consideration of the present state, (1) That the names and titles of Archbishops and Bishops are not to be altered or innovat, nor yet the bounds of the Dioceses confounded, but to stand and continue in time coming as they did before the reformation of religion: at least till the King's majority or consent of Parliament. (2) That persons promoted to Archbishoprics and Bishoprics be, so far as may be, endued with the qualities specified in the Epistles of Paul to Timothy and Titus. (3) That there be a certain assembly or chapter of learned ministers annexed to every Metropolitan or Cathedral seat. (4) . . . (5) . . . That (6) all Bishops and Archbishops to be admitted hereafter shall exercise no further jurisdiction in spiritual functions than the Superintendents have and presently exercise, till the same be agreed upon; and that all Archbishops and Bishops be *subject* to the *Kirk and General Assembly* thereof *in spiritualibus* as they are to the King *in temporalibus*; and have the advice of the best learned of their chapter, to the number of six at the least, in the admission of such as shall have spiritual function in the Kirk. . . .'¹

It will be seen that not only were the Bishops to be subject to the General Assembly, but that in every step towards the

¹ *Book of the Universal Kirk*, i. p. 209. The Leith Convention embodies, with slight changes, the English Act of Elizabeth, c. xiii.

admission of ministers they were to advise with (certain at least) of their presbyters. It was to be *a limited and constitutional Episcopacy*. And if any one imagines—from the phrase ‘the names and titles of Archbishops and Bishops are to be continued’—that it was meant to be merely titular, let him note that leading men in the Convention, like Erskine and Winram, believed the Kirk to have *the thing* already in its Superintendents, whose function is now to be discharged by Bishops; and that it was ‘the name and title’ only which were wanting. Next, the Convention (after making provision for Abbeys, etc., Benefices of Cure, Provostries, etc.) proceeds to provide for ‘the Manner of creating of a Bishop.’ He is to be (a) *elected* by the Cathedral Chapter on receipt of a letter from the Regent, in these terms: ‘For as much as the Bishopric of A. is vacant through the death or forfeiture, etc., of the late incumbent of the same, and calling to our remembrance the virtue, learning, godly conversation of our trusty and well-beloved B. C., preacher of the Word of God, we have thought good, by these our letters to name and recommend him to you to be chosen to the said Bishopric of A; wherefore we require you to proceed to your election. . . .’ With this was to be sent a ‘License to Choose’ (*cong  d’ lire*). The Chapter, however, while *bound to examine, was not* (as in England) *bound to elect* the nominee: it might after trial and examination ‘find him not qualified in the whole or part of the qualities required in a Bishop,’ and in such case the Chapter was entitled to ‘crave’ a new nomination. On an election taking place, and the Chapter certifying the same, ‘Our Sovereign Lord’ . . . is to (b) ‘ordain a letter to be made under the great seal . . . to the most Reverend Father in God, Archbishop of S., or to whatsoever farther bishops to whom in this part it appertains. . . . Commanding them (c) *to consecrate* the said A. B. elected, as said is, bishop and pastor of the Church aforesaid, and to confirm the said election, and all and sundry other things to do belonging to their pastoral office.¹ . . .’ If the nominee is a Bishop already, he is to be translated, but not consecrated. The new Bishop ‘after the Consecration’ is to take oath to the King that his Majesty is ‘the only lawful and supreme governor of this Realm as well in things temporal as in the conservation

¹ *Book of the Universal Kirk*, i. p. 219.

and purgation of religion,' and thereupon is to have (*d*) the temporalities restored to him.

There was a difficulty about Cathedral Chapters, because divers of the deaneries and canonries were still held by men who had either 'not made profession of the true religion' or 'have not entered by lawful order of the true reformed Kirk in the function of the ministrie,' . . . who therefore can have no vote, and their place must be supplied by 'the most godly and learned' of the Reformed clergy. 'All,' however, 'of the old Chapter who survive, and are ministers, professors of the true religion, shall still be of the Chapter during their natural lives.' At St. Andrews, the Bishop of Caithness, as Commendator of the Priory, was to sit and vote as Dean.

The terms agreed upon by the Convention of Leith were acted upon, and by the 16th of March in the same year Mr. John Douglas—who had been a Carmelite friar, and as chaplain to the Earl of Argyll had been the man, probably, who had brought that illustrious family over to the ranks of the Reformed, and was now Provost of the New College at St. Andrews—sits in the General Assembly as¹ Archbishop of St. Andrews, and is sent along with John Craig, John Row, David Ferguson, Winram, Lindsay and others to convene at Mr. Knox's house—the great Reformer had been too infirm to attend the Convention of Leith—'and consider and sight the said articles and conclusions, and what therein they find agreeable to God's Word, and to the utility of the Kirk, to report the same to the Assembly this night or to-morrow that the said conclusions might be inserted in the Register.'²

The consecrators of Douglas, when the rite was solemnised at St. Andrews on Sunday, 10th February 1572, were the Bishop of Caithness, Mr. John Spottiswood, Superintendent of Lothian, and Mr. David Lindsay, Superintendent of Ross: they 'laid their hands on him,' says Calderwood, and 'embraced him,

¹ *Book of the Universal Kirk*, i. pp. 237 and 386. Of Douglas's successor, Patrick Adamson (Archbishop of St. Andrews, 1576-1591), Bishop Keith says, 'He did not receive, for what we know, any ecclesiastical consecration.' If so, the omission was illegal. But the statement is doubtful. The Assembly of 1577 complained of his entering the Bishopric unauthorized by the commission of the kirk; but so far from denying his consecration, gave authority for summoning 'his ordainers and inaugurers.' It is certain that, as Archbishop, he was well received in England by the bishops there, and preached to large audiences.

² *Ibid.* i. p. 238.

in sign of admission to the Archbishopric.’¹ Knox was at St. Andrews at the time; Bannatyne says he refused to preach; Calderwood that he did preach, but refused to inaugurate the said Bishop; ‘yea, in the open audience of many then present denounced *anathema* to the giver, *anathema* to the receiver,’ but if the latter part of this statement be true, it is not very easy to reconcile it with one of the ‘articles’ which in August of the same year John Knox sent to the Assembly by the hands of Mr. John Winram, Superintendent of Fife, and Mr. Robert Pont—‘that all Bishoprics vacant may be presented and qualified persons nominate thereto, within a year after the vaiking thereof, *according to the order taken at Leith* by the commissioners of the nobility and of the Kirk in the month of January last, and specially to complain of the giving of the Bishopric of Ross to the Lord Methven²’ (a layman, contrary to the Convention). The Protestant nobles were still, it was becoming clear, of their forefathers’ mind, and wished to see the high places of the Church in the occupation of themselves or of their relatives.

To the Assembly held at Perth, 6th August 1572, John Knox sent this and other Articles along with a touching letter of farewell. Its Moderator was John Erskine, Superintendent of Angus and Mearns (part of which district was in the diocese of St. Andrews); and when the Assembly declared ‘that the whole diocese wheresoever lying’ [in Lothian, Fife, Angus, or Kincardine] ‘pertained to the Archbishop of St. Andrews and to no other Superintendent to visit and plant kirks,’ the new Primate rose and asked that inasmuch as the work was great and he too infirm to do the whole duty, he might have the assistance of certain eminent ministers. Whereupon some objection was taken—not to the Articles agreed upon at Leith but—to ‘certain names, as Archbishop’ (not Bishop) ‘Dean, Archdean, Chancellor, Chapter,’ as ‘slanderous and offensive to the ears of many of the brethren, appearing to sound to Papistry. Therefore the whole Assembly in one voice, as well they that were in commission at Leith as others solemnly protested that they intended not by using such names to ratify consent or agree

¹ Calderwood, *History*, vol. iii. p. 206.

² *Book of the Universal Kirk*, i. p. 248.

to any kind of Papistry or superstition, and would rather the names changed to others less offensive': and in like manner protested that the 'said heads and articles agreed upon be only received as an interim, until further and more perfect order be obtained at the hand of the King's Majesty, Regent, and Nobilitie: for which they will press as occasion shall serve.'¹

As an interim, however, the 'order taken at Leith' was insisted on and carried out, and the Assembly sent to John Knox a letter, signed by Winram, Lindsay, Pont, Row, Erskine, Spottiswood and the Bishop of Caithness, 'your brethren and fellow-members in Jesus Christ,' assuring him that 'they were all bent to set forward the self-same cause, which God hath put into our hands for the advancement of His glory and comfort of His Kirk.'²

In October 1572 the Regent Mar died. He was succeeded by the Earl of Morton, who accepted office the same day (29th November 1572) on which John Knox rested from his labours.

If it is plain from the records that there were ministers in the Church who had no love to the Leith Convention, it is equally clear that the leading Reformers, Erskine, Craig and others, were determined to carry it into execution. Its provision for 'forfeiture' had already been exercised in the case of Bishop Robert Crichton of Dunkeld; in his place James Paton had been 'elected,' and his election ratified in the King's name.³ Bishop Carswell of the Isles died in July or August 1572:⁴ on 4th September a license was granted to the Chapter to elect a successor. To the Assembly of 1573 (August) a Committee reported (1) that the new Regent intends with all convenient expedition to promote qualified persons to the Bishoprics now vacant, and excuses himself for not having done so hitherto; (2) that Superintendents should continue in the vacant Bishoprics 'till the Bishops be admitted to their own places and offices, which shall not be retarded';⁵ (3) 'Anent the sustaining and upholding of Cathedral kirks which are

¹ *Book of the Universal Kirk*, p. 246.

² *Ibid.* p. 248.

³ *Ibid.* p. 279. The Assembly of 1573 found no fault with those steps, but complained of Paton, that while he had 'the name' he was not fulfilling as he ought 'the office.'

⁴ Dr. MacLauchlan, Preface to *Gaelic Prayer Book*.

⁵ *Book of the Universal Kirk*, i. p. 278.

paroch kirks, the same must be done as it had been wont to be before till a new and better order be taken thereanent by the Parliament'; (4) seeing that the most part of the persons who were canons, monks and friars within this realm have made profession of the true religion, it be enjoined on them to pass and serve as readers at the places where they shall be appointed; (5) to appoint days for the election:—1. Of the Bishop of Moray, 2. of the Bishop of Ross; 3. of the Bishop of Dunblane; 4. of the Archbishop of Glasgow; 5. commissioners for all Provinces where bishops are not placed; 6. of a Suffragan for the Bishop of St. Andrews in Lothian.

In the case of Moray, which was vacant by the death, on 28th June, of Bishop Patrick Hepburn, records remain to prove (1) the license to the Chapter to choose a Bishop, 12th August 1573; (2) Consecration of George Douglas as Bishop of Moray, 15th February 1573-4; and (3) Restitution to him of the temporalities, 23rd March 1573-4, all as agreed upon at Leith. In regard to Ross, it would probably have been unpopular, if not difficult, to depose a prelate whose services to a Scottish Queen had led to his incarceration in England; anyhow no further steps seem to have been taken to fill that see.¹

1575. One of the bishoprics which the Assembly blamed the Regent Morton for delaying to fill up was Dunblane: it was vacant through the forfeiture of its Roman Catholic occupant, William Chisholm, who, moreover, had deserted it and gone to France. So early as July 1573, a royal licence had been issued to the Chapter to choose a Bishop of Dunblane, but only on 17th May 1575 does the mandate for the Consecration of Mr. Andrew Graham appear. He is described in the writ for the restitution to him of the temporality of the see as 'preacher of God's Word';² and we know that he acted as pastor of Dunblane Cathedral. Already in 1571 the Regent had given the See of Glasgow to John Porterfield, but he continued only till 1572; and then the Bishopric was bestowed, in accordance with the Leith Convention, on one who certainly possessed the qualifications spoken

¹ Keith.

² This was the designation required by the Convention of Leith; it was applied to Spottiswood and the other Scottish prelates in the King's writ for their consecration in London in 1610.

of by S. Paul to Timothy, Mr. James Boyd of Trochrig. Besides exercising episcopal functions he was minister of what are now the two parishes of the Cathedral and the Barony. The consecration of Boyd was remitted to James (Paton), Bishop of Dunkeld, to Adam (Bothwell), Bishop of Orkney, to John (Carswell), Bishop of the Isles, and to Spottiswood, the Superintendent of Lothian.¹

The new prelate fully believed in his position; and 'when the legality of the Episcopal function came first to be called in question by the Assembly in the year 1578, he learnedly and solidly both from Scripture and antiquity defended the lawfulness of his office.'² He held the see till his death in 1581.

Bishop William Gordon, the pre-Reformation Bishop of Aberdeen, died in 1577. He was immediately succeeded by David Cunningham, who was in Roman orders, and had been Minister of Lanark in 1562. Since then he had held in succession the cures of Lesmahagow and Cadder, had acted as chaplain to the Regent Morton, and shortly before his elevation to the Bishopric had become one of the Ministers of Aberdeen. A contemporary chronicler records³ his 'consecration, 11th November 1577, by Mr. Patrick Constance (otherwise Adamson), Bishop of St. Andrews, who made the sermon, Mr. John Craig, Minister of Aberdeen, and Mr. Andrew Strachan, collators, in the presence of the whole congregation of Aberdeen with others of the country present at the time.' Mr. John Craig is the great Reformer whom Wodrow describes as at this very period⁴ 'active and useful' to 'rid the Church of this heavy burden of Tulchan Bishops!' Wodrow does not mention the part Craig took in the consecration of Bishop Cunningham! Morton had been rebuked by the Assembly for remissness in providing bishops, but as long as he remained in power the system was in force; and in 1580 Neil Campbell, parson of Kilmartin, appears as Bishop of Argyll. 'When all the other Bishops were lampooned in a satirical poem, and taxed with immoralities (though falsely), yet such was the universal good character

1577

1580.

¹ Scott, *Fasti*.

² Keith.

³ Cullen, *Chronicle of Aberdeen*, quoted in Dr. Lippe's edition of Selections from Wodrow's *Biographical Collections*, p. lvii. But see *Book of the Universal Kirk*, p. 340.

⁴ *Ibid.* p. 22.

1608. this prelate had obtained, even among those who hated the Order, that he alone is excepted.' He resigned his see in 1608, and was the sole survivor of the Leith Convention Bishops
 1610. when Episcopacy was restored in 1610. It was to this doubtless that King James was referring when he told Spottiswood and his brethren they must be consecrated in England because 'in Scotland there was not sufficient number'—the canonical three—'to enter charge by consecration.'

The consecration of these Bishops, the writer is inclined to think, might be found to be less defective than is commonly assumed.¹ It might be argued, for example, that if the Presbyters of Alexandria were held competent, down to the middle of the third century, to raise one of their number without further ordination, to be Bishop of the 'Evangelical See,'² the Scottish Superintendents, being Presbyters, were competent to do the like. But waiving a precedent which few nowadays would desire to follow, the Bishop of Orkney certainly had been, and the Bishop of Caithness probably had been, canonically competent to make a Bishop; and one or other of them took part, as we have seen, in the consecrations of both the new Archbishops, Douglas of St. Andrews and Boyd of Glasgow. The important thing, however, to be noted is that our first Reformers did accept in this case an Episcopacy, which (even if not valid) was certainly prelatie.

The system was speedily discredited, however, by the promotion in some cases of mere court favourites, by the suspicion in the case of others of corrupt practices, by the morbid fear of Popery; and, it must be added, by the somewhat shady character of one or two of the new Bishops—for example, George Douglas, Bishop of Moray. It was rendered doubly unpopular through the growing unpopularity of the Regent Morton, who was accused of gross avarice, and was believed to advance men

¹ *E.g.* by Dr. Grub, *Ecclesiastical History of Scotland*, ii. pp. 179, 180. Even Calderwood, ready to employ any argument which might discredit a system that he hated, says of these Leith Convention Bishops, 'They were not exeeemed from the censure of the General Assembly, nor consecrated by three bishops according to the old canons.' Lindsay and Spottiswood were only Superintendents, but Calderwood clearly, I think, implies that Adam Bothwell of Orkney was a Bishop.

² Bishop of Salisbury, *Ministry of Grace*, pp. 135-136 note. The case of Alexandria had been referred to before by S. Jerome and Marsilius of Padua.

to the sees merely to be his 'tulchans,'¹ by whose aid he could milk the Church's revenues into his own pail—which, of course, if it was done, was a species of simony. There is truth, however, in Pardovan's reply that the worst of these was a tyro in the art of dilapidation in comparison with certain of their Popish predecessors. Bishop Gordon of Aberdeen, for example, had alienated the possessions of that once wealthy bishopric to such an extent that his successor, Bishop Cunningham, got no increase of income by his advancement to it.

PRESBYTERY 1580-1610

The Convention of Leith Episcopacy had been grievously weakened by certain Acts of the General Assembly of 1578: it practically fell with the Regent Morton in 1580. The introduction into Scotland of Presbyterianism (as we know it) was due not to John Knox but to Andrew Melville. This strenuous fighter returned to Scotland from Geneva in 1574. He was appointed Principal of Glasgow University, of which he might well be called the second founder, as Bishop Patrick Forbes was of the University of Aberdeen. Melville hated Episcopacy; and his influence was apparent when, at the next Assembly, a *caveat* was taken by John Durie that they must not all be held as admitting the *lawfulness* of Bishops.² So rapidly did these novel opinions spread that in 1578, the year of Morton's resignation of the Regency, the Assembly commanded the Bishops to confine themselves to the 'particular kirks' of which they were ministers. Henceforth, undoubtedly, there was a continual strife between the Assembly and the Bishops; but the result was for long uncertain: and if the party which now openly declared that Prelacy was sinful could boast of Andrew Melville, the Episcopal side could claim among its supporters ornaments yet more venerable in the persons of such old Reformers as

1574.

1578.

¹ 'These Bishops were called Tulchan Bishops. A tulchan is a calf's skin stuffed with straw to make a cow give her milk.'—Calderwood, vol. iii. p. 207. Proof is desirable that these bishops had much episcopal property to make over.

² See the cautious answers of a committee on the subject in Calderwood, iii. p. 356. Calderwood tells us how Morton endeavoured to seduce Melville by offering him in 1576 the rich benefice of Govan, 'providing he would not insist on his cause against Bishops.' In 1577 the heads of a new book of policy were discussed.

1580. Erskine of Dun and David Lindsay of Leith. The contest was hot; and victory might have appeared to have been finally secured for Melville when the General Assembly, meeting at Dundee in 1580, passed an Act declaring that ‘Forasmuch as the office of a Bishop, as it is now used and commonly taken within this realm, hath no sure warrant, authority, or good ground out of the Book and Scriptures of God, but was brought in by the folly and corruption of man’s invention, . . . ordained all such persons as enjoy, or shall hereafter enjoy the said office . . . be charged to demit, quit, and leave off the same . . . under pain of excommunication’; when this act next year

1581. was ratified by an Assembly held at Glasgow; and when the *Second Book of Discipline* defined pastors, ‘bishops and ministers’ to be ‘those appointed to particular congregations,’ and transferred the powers of ordination and government hitherto lodged in Superintendents or Bishops, with their Synods, to a new court composed of the ministers and elders of a district smaller than the province, which soon came to be known as ‘the Presbytery.’ Presbyteries accordingly came into existence; but though the *Second Book of Discipline* never became law, and ‘in 1581 the Church had so little hope of a wider recognition of its claims, that it caused the Book to be registered in the Acts of Assembly *ad perpetuam rei memoriam*,’¹ yet perchance it had a wider influence than if it had been incorporated in an Act of Parliament. But Melville’s victory was secured only by a majority: henceforward, we may say, there was a ‘Moderate’ as well as a ‘High-flying’ party in the Church; and he would be a bold man who would assert that all the piety, or all the reasonableness, in the Church was ranged on either the one side or the other. For a time, however, the tide flowed, on the whole, in favour of Melville and his followers.

1585. The submission of Archbishop Adamson in 1585 was a great victory for them; and two years later they obtained a Parliamentary success in the *Act for Annexation* to the Crown of what still remained of the Temporalities of *Benefices*—including those of Archbishops and Bishops.

This was practically the abolition of Episcopacy; but it was seven years more ere (with the help of the anti-Popish panic

¹ Mathieson, *Politics and Religion in Scotland*, i. p. 221.

due to the Massacre of S. Bartholomew and the Spanish Armada) Presbyterianism received its 'charter' in the famous Act of 1592. It was only then that the Presbytery—which for some years had been in process of development out of the 'Exercise' of 1560—received legal recognition as the Church's court of first instance. To the Presbytery, henceforth, was to be directed the letter of presentation to a parish, instead of to the Superintendent as in 1567. Notwithstanding this, the Assembly in the very next year appointed Commissioners who were practically Superintendents, and Cook says this might have been continued if the King had not interfered with the Church's liberty. But the triumph of the high Presbyterians was short-lived. In 1596 they were at the zenith of their glory: but they pushed their pretensions to an unbearable extent. They raised enemies, and in 1597 the General Assembly was itself the scene of their defeat. By enacting what seemed a limitation of the Royal power, the Assembly gave an opening for that restoration of Bishops which the King desired; for its enactment that only ministers should be promoted by him to bishoprics ensured that their office should be to some extent spiritual.¹

Accordingly, in 1600, three of the ministers were made Bishops, though now without any election by Chapter, or any place in the ecclesiastical polity; but by the civil power alone, which, of course, did not pretend to consecrate them. In 1602 the new Bishops were so far *recognised by the General Assembly* that it took the step of appointing one of the three its 'commissioner' for the visitation of the diocese to which he had been named, and of resolving that ministers should be appointed to all the prelaties. In accordance with this Act, King James appointed ministers to the vacant sees. None of the Bishops of this period (1602-1609), however,—unlike their predecessors under the Convention of Leith—had any sort of consecration.

So far all was constitutional: if there was an opposition party in the Church, yet the majority alike of the clergy and the people were with the King.

In 1603 James VI. ascended the throne of England; and whether it was through the adulation of English prelates trained into

¹ Bishop (John Wordsworth) of Salisbury, *Unity and Fellowship*, p. 40.

subservience by Elizabeth, or whether it was that unquestioned sway had turned his head, he unfortunately (and most wrongly) embarked on a course of arbitrary encroachments on the legal rights of the Scottish Church—proceedings which served in some measure to justify the opponents of his policy, and certainly did much to prejudice that policy both at the time and afterwards. General Assemblies should, by the law of Scotland, have been held annually. No Assembly was allowed to meet in 1603 or in 1604; and when, in 1605 (simply for the purpose of asserting the Church's rights, and with more than a colourable pretence of sanction from the Crown), an Assembly was held at Aberdeen, the brave ministers who constituted it were harassed, imprisoned, and banished, in defiance both of law and justice. Equally illegal and oppressive was the King's treatment of Andrew Melville and other leading ministers whom James called up to London, imprisoned in the Tower, and finally drove into exile. Melville, no doubt, took excessive liberties; but it was a blunder no less than a crime to make a confessor of him.¹ It was, however, a crime as well; indeed, though there were no hangings or shootings at this period, no boot or thumb-screws, and no employment of military force, yet, from a constitutional point of view, the Royal tyranny was more gross than it was even in the blood-stained days of Charles II. and James VII.

But the Royal will was, for the time being, triumphant, and at the opening of the Parliament of 1606 ten Bishops rode in the procession. Straightway Parliament passed an *Act for the Ratification of the Estate of Bishops*. Declaring that it was never meant by his Majesty or his Estates that the Estate of Bishops should be suppressed, it repealed the Act of Annexation of Benefices, and 'restored and reintegrated the said estate of Bishops to their ancient and accustomed honour, dignities . . . lands, teinds . . . and estate, as the same was in the Reformed Church at any time before the Act of Annexation aforesaid.'² In a word, Bishops were restored, so far as Parliament could do it, according to the terms of the Leith Convention. It remained for the *Assembly to say what, if any, were to be their functions in*

¹ Grub, *Ecl. History of Scotland*, chap. xliv.

² James VI., *Eighteenth Parliament*, p. 2.

the Church; and this was done ere the year was out, by the General Assembly, or Convention, at Linlithgow, which resolved that the Bishops should be constant Moderators, alike of their respective Synods, and of the Presbyteries within which they resided. At Linlithgow another Assembly met two years later at which, as Calderwood allows, the 'Bishops got a great advantage'; though he implies that this was due to the banishment of the ministers who stood for the established discipline. There was a touching scene: 'The hail brethren present declare that they laid down all grudge and rancour, and in token of "the aefauld" (single-minded) union of hearts and affections they all held up their hands to GOD, testifying to His Divine Majesty the truth of their hearts in the said matter.' There was still among them, they admitted, 'difference of judgments concerning the external government and discipline of the Kirk'; but they appointed a committee (mostly of the new Bishops, though with Patrick Simson and others of the Presbyterian party) to investigate the subject and report to next General Assembly.¹

1608.

This striking episode is not mentioned by Dr. Grub; and one ventures to submit that he and others, by not noticing what Mr. Mathieson calls 'the general desire for peace,' have failed to bring sufficiently before their readers *a main cause*—and the most creditable cause—which led the General Assembly of 1610 to vote, with hardly a murmur of dissent, for the re-establishment of Episcopacy on the lines laid down in 1572 by the Leith Convention, and approved by the Parliament of 1606. It was not solely 'the ambition of vain men' or 'the power and working of civil authority,' or 'corrupt Assemblies of ministers' that gave the Episcopacy of 1610-1638 its footing in Scotland. Such things—so far as they existed—we all can reprobate, and no one either in England or in Scotland would wish to see a repetition of any one of them. But there was besides, especially in north-eastern Scotland, a distinct tradition, since the Reformation, in favour of such a moderate Episcopacy as the Glasgow Assembly sanctioned. This view had found such wide acceptance among the clergy that in April 1610—shortly before the Assembly met—Archbishop Gladstones could write to the King, 'The great

1610.

¹ *Book of the Universal Kirk*, iii. pp. 1060-3.

multitude of the Ministry are desirous that Presbyteries shall stand, but directed and governed by the Bishops, and so would refer great matters to be done only by the consent and authority of the Bishops.’¹ Above all there was a widespread feeling throughout the Church of Scotland of weariness with ‘the heats and strifes’ which—as the King told them—were bringing discredit on the Scottish clergy, and giving a new cogency to the arguments of Rome, now being pressed with great ability by the controversialists of the Counter Reformation. Accordingly, the restoration of Episcopacy in 1610, if it was not received with any great enthusiasm, led to no secessions from the Church; and it is worthy of note that among the prelates who accepted Episcopal Consecration were John Spottiswood, son of the first Superintendent of Lothian, and David Lindsay, the one survivor of the Reformation leaders, whom they had appointed Minister of Leith in 1560, and who had been prominent from that year onward in every General Assembly of the Church.

¹ Botfield’s *Original Letters*, i. p. 245, quoted by Mathieson, i. p. 313.

P A P E R I I

THE CHURCH OF SCOTLAND

1610-1638

'THE FIRST EPISCOPACY'

By the Rev. PROFESSOR COOPER, D.D.

IT is notorious that the restoration of Episcopacy in the Church of Scotland in the year 1610 was effected at the special desire, and largely through the persevering efforts, of King James VI. No single Scotsman of that period, it is probable, desired it so much. None was fated to render it more unpopular.

But while the King was unquestionably the moving spirit in the change, the fact must not be overlooked that the change was brought about through formal Acts, both of the Scottish Parliament and of the General Assembly, without any striking expression either of popular dislike or of clerical protest. Nor would it be fair to the King himself to say that his object was merely the increase of his own arbitrary power. James VI. was certainly not indifferent to the interests of the Reformed religion; and one of the chief of these interests, in the face of the powerful Romanist apologetics then being set forth, was the closing up of the ranks of the Reformed Churches. The King was also really anxious to promote learning; and it was an essential principle of his whole policy to further unity, as between the three kingdoms whose crowns were now united in his person, so also between the three National Churches. In regard to Scotland, moreover, it was as a leading object, with him, as well as with his ecclesiastical advisers, 'to rescue the Church property from lay spoliation, and to restore it to its proper uses.'¹ We must give him credit for these things. We must give credit also to the Scottish supporters of his policy for a genuine desire for ecclesiastical peace, and for the removing of the occasions of strife and debate; and to the clergy of Scotland in particular

¹ Grub, *Ecclesiastical History of Scotland*, iii. p. 294.

for much of 'that hearty affection in CHRIST which becometh those who are ministers of the Word of GOD and preachers of love and charity to His people.'¹

Such was a prevalent state of opinion in the country, when the Scottish Parliament of 1606 'reintegrated and restored the estate of the Bishops to their ancient and accustomed honour, dignities, lands, thirds and estate, as the same was in the Reformed Kirk, most ample and free, at any time before the Act of Annexation (1587) aforesaid';² and when the Parliament of 1609—after a preamble setting forth that 'in all well-governed republics the "jurisdictions civil and ecclesiastical are several and distinct," and that his Majesty was most willing that the Reformed Kirk should bruik and enjoy their liberties³ . . . and jurisdiction granted by his Majesty,⁴ from whom only their TEMPORAL⁵ jurisdiction doth flow'—proceeded to give back to the Bishops that commissariat jurisdiction over such 'mixed' matters, partly religious, and partly civil, as marriages and wills—which their Romanist predecessors had enjoyed, but which had been transferred to a Court of Session now thoroughly secularised. The intention of this Act⁶ (as the writer takes it) was to restore Episcopacy in Scotland *according* to the agreement come to *at the Convention of Leith, 1571-2*. That Convention had resolved that 'the estate of Archbishops and Bishops should be continued as it was before the Reformation of religion' till the King should attain his majority, and further measures taken in regard to it: the King was now in real power, and he naturally 'harked back' to a measure which (as every Scottish Churchman knew, whether he liked it or not) had received the sanction of some of the most eminent of the Scots Reformers.⁷

These constitutional proceedings were followed, on the part of the King, by a step which was certainly arbitrary and pro-

¹ *Book of the Universal Kirk*, iii. p. 1060. (The words are those of the General Assembly of Linlithgow, 1608.)

² *Scots Acts*, James VI., xi. 270. There had been 'Bishops in their ancient and accustomed honour' in the Church of Scotland as Reformed for a good many years after the acceptance of Episcopacy by the Convention of Leith, 1571.

³ The preceding five words are from *Scots Acts*, James I., 1, a statute which may be called the Magna Charta of the Scottish Church.

⁴ *Scil.* in 1587 and 1592.

⁵ *Scots Acts*, James VI., xx. 6.

⁶ 'An implied concession that SPIRITUAL (jurisdiction) does not flow from the king.'—Jeremy Collier, ii. p. 7.

⁷ See preceding Paper.

bably illegal—the setting up, on 10th March 1610, by a commission under the great seal, of two Courts of High-Commission, over which was placed in the one, ‘ the Reverend Father in GOD, and our trusty and well-beloved counsellor, George Gledstanes, Archbishop of Saint Andrews, Primate and Metropolitan of our Kingdom,’ and over the other, John Spottiswood, Archbishop of Glasgow. The professed object was ‘ the eschewing of the inconvenience whereby the frequent advocations purchased by such as were either erroneous in religion or scandalous in life, discouraged the Ministry from censuring of vice ’;¹ but the very excuse was a confession that the authority of discipline of the Church, given to her by her Divine HEAD, was being taken in certain cases from her courts and assigned to a substitute of civil origin, possessing no more than a civil sanction.

The institution of the Courts of High Commission may have made, as it professed to do, for efficiency; it certainly added to the secular grandeur of the Scottish Bishops; but it involved them in compliances at once illegal and Erastian, and it rendered ‘ only too apparent ’ the fact that King James ‘ was as little careful as Andrew Melville to distinguish in practice between the two jurisdictions, and that he was as likely to intrude as far into the domain of the Church as Melville had intruded into that of the State ’; ² while, as if to render these encroachments more odious still, they were perpetrated with a wily disingenuousness calculated to shake men’s faith even in the incorruptness of public documents.

The clerical recipients of all these favours were ‘ daily urged by the King,’ says one of them, Archbishop Spottiswood, ‘ to take upon them the administration of all Church affairs ’: James would have liked Bishops as arbitrary as himself. But the Scottish Bishops, servile as they are sometimes represented to have been, were, naturally and properly, ‘ unwilling to make any change without the knowledge and approbation of the ministers.’³ They wanted ecclesiastical sanction for any steps they would take, and they ‘ entreated the King ’ for licence to some ‘ general meeting of the Church,’⁴ with such effect that he

¹ *Book of the Unirersal Kirk*, iii. p. 1078.

² Mathieson, *Politics and Religion in Scotland*, i. p. 314.

³ *History of the Church of Scotland*, anno 1610.

⁴ *Book of the Unirersal Kirk*, iii. p. 1083.

‘ was pleased to yield to their requests, and in 1610 he granted liberty for a General Assembly to be holden at Glasgow on the 8th day of June next.’

The more famous Assembly held in the same city in 1638 ‘ annulled the pretended Assembly at Glasgow, 1610 ’ for the reasons (1) that the election of its members was not free ; (2) that ‘ there were thirty voters, noblemen, besides the pretended Bishops, who had no commission from any Presbytery ’ ; (3) that the voting of the commissioners was not free ; (4) that the principal Acts, drawn up in privy conference, were only read and ratified in the Assembly ; (5) that sundry ministers then present do now declare that they knew the ministers who voted the wrong way ‘ to have been bribed.’¹ The evidence as to bribery is in itself inadequate ; but money was certainly disbursed under the name of arrears of salary, which Dr. Grub admits may have been distributed with a view to influence the votes of the recipients. Scot of Cupar makes the complaint ‘ that there were a number of ministers brought from Orkney, Caithness and Sutherland, by Mr. James Law, his procurement, who had never seen the face of a General Assembly before.’ But the Northern Synods had as good a right to be represented in an Assembly of the whole Church of Scotland as the Southern ; and the Northern clergy—from Angus and Aberdeen and Moray and Ross, as well as from Sutherland and Caithness—represented very fairly the opinion and desire of the districts whence they came. It should be remembered, too, that Caithness, Moray, Aberdeen and Angus—the northern Lowlands—were inhabited in the early seventeenth century by a population probably as large and certainly as intelligent, well-educated, prosperous and independent, as that of the southern shires. The city of Aberdeen was in those days ahead of Glasgow, both in size and enterprise: Dundee, Montrose, Inverness, and even Elgin had few rivals among the burghs of the south. To this day it is too frequently forgotten that Scotland includes more than Lothian and Fife, Galloway and Lanark.

‘ There are hills beyond Pentland,
And streams beyond Forth.’

¹ Peterkin, *Records of the Kirk of Scotland*, p. 24.

This, however, by the way. We have only to look at the list of members of the Assembly of 1610 to see how representative it was. We have two copies of this list—one in the *Book of the Universal Kirk*,¹ and one given us by Calderwood; a study of them reveals the presence of most of the eminent ministers then in Scotland, with the exception of Patrick Simson; and they represented a clergy of whom ‘the great multitude’ (so Archbishop Gledstanes wrote to King James on the 10th of April 1610) were desirous that Presbyteries should stand, but directed and governed by the Bishops, and so would refer great matters to be done only by the consent and authority of the Bishops. The ‘few number,’ he proceeds, ‘of the contradicents to Episcopal jurisdiction are content to be silent.’² Such was the feeling at this time throughout the Scottish Church, and exactly in accordance with it was the line taken by the Assembly. Sick of the party spirit, the strifes and jealousies which had torn the Church and kept it in a perpetual atmosphere of controversy, the Church of Scotland was earnestly desirous for peace at once with the King and among her own members. She was ready on these grounds to accept the rule of Bishops—to which the vast majority of her members had no conscientious objection; but she wished the Bishops to govern in co-operation and conjunction with her graded series of Church Courts acknowledged and ‘established’ in the great Act of 1592. Now, as formerly, she would take Bishops not as superior to the General Assembly but as subject to it; not as legislators or as arbitrary rulers, but as the responsible administrators of her own laws and usages. Further, while willing that the Bishops, in conjunction with certain of the ministers, should, for the future, ordain her clergy, and in conjunction with other ministers ‘perfect the whole rite of ordination,’ there is nothing to lead us to suppose that she desired them for the purpose of securing ‘a valid ordination.’ This, she was satisfied, she possessed already, nor does any voice seem to have been raised either in Scotland or in England³ to impugn her claim. It should be

¹ *Book of the Universal Kirk*, p. 1085.

² *Original Letters of James VI.*, p. 245.

³ Some words of Bishop Andrewes will be considered presently, but even he did not suggest that the whole clergy of Scotland needed reordination.

noticed also that the Assembly, while willing that the Bishops should preside at future ordinations, is careful to retain some of 'the ministry of the bounds' (*i.e.* the Presbytery as then existing) as partners¹ with him in the act of ordination, and refrains from using a single word forbidding them to ordain if the Bishop cannot be present.

The Glasgow Assembly of 1610, whatever may be said as to its constitution, observed the forms which then were usual. 'After exhortation made by Mr. James Law, Bishop of Orkney, Moderator of the last Assembly,' it proceeded to the election of the 'Moderator of this present Assembly'; a leet of four were nominated, of whom one only was a prelate, John Spottiswood, Archbishop of Glasgow: he, 'by plurality of votes, was chosen *pro hac vice*.' Next there were selected, somewhat after the fashion observed in the Scottish Parliament, assessors to convene with the Moderator in the privy conference, 'for treating of such things as are to be concluded in the Assembly,' and of course to report. Then his Majesty's Commissioner (that Earl of Dunbar who sleeps under such gorgeous marbles in the parish church of the town whence he took his title) read the King's letter which contained the following: 'As it hath pleased God in His mercy to appoint Us to be the Nursing Father² of His Church here on earth within Our Dominions, so do We intend ever to be most careful for setting forward all such things which may advance His glory, and breed quietness and peace in the Church; unto which nothing hath been so great an enemy as the want of order and government, without which no body or estate, whether ecclesiastical or civil, can subsist. And howsoever the singularity of some did, for a certain space, maintain, either by wilfulness or ignorance, a sort of headless government,³ yet ere long it did kyth' (*i.e.* appear)⁴ 'what inconvenience and harm might ensue to the Church and advancement of the Gospel, by any longer continuance therein: which moved Us

¹ As they are in the service for the Ordering of Priests in the Church of England.

² Isaiah xlix. 23.

³ The reference is doubtless to Andrew Melville and his party, whose influence in their own day was not long paramount. See Mathieson, *Politics and Religion in Scotland*.

⁴ The established acceptation of kyth in Scots is to appear in 'proper character, as respecting a person or thing not yet fully known, or not seen in its true light.'—Jamieson's *Scottish Dictionary*.

during Our stay there in Our proper person to take so great pains for finding remedie for this. . . . We called several Assemblies, and have at Our great cost and charges procured also maintenance sufficient in some reasonable sort for the Fathers of the Church . . . and fully hoped . . . that the Church . . . would have become suitors unto Us for establishing that *government and rule which is most fit and allowed* of in former times *in the Primitive Church*, so that things should not be left still in uncertainty by reason of the division and distraction of minds among yourselves. . . . But whether the default be in the Fathers of the Church . . . or in the factious singularity of others of meaner rank . . . We . . . holding Ourselves justly bound not to suffer this sort of lingering have thought it expedient to call this Assembly . . . hoping that your forwardness will remove all opinion which may be conceived either of unwillingness or of opposition to Our godly intentions.’ This was urgent enough, though it is hardly more so than William III.’s counsel of ‘moderation’ to the General Assembly of 1690. But what shall we say of other clauses in the same letter: ‘not so much for necessity as that anything is to be moved whereunto your consent is much requisite,’ and ‘We intend to do it without your consent if we find a slow concurrence upon your parts’? The Assembly, however, did not need to be threatened. It was ready of its own part; and when ‘the brethren appointed for the privy conference produced their Report after long deliberation,’ it had been approved by them all with two exceptions,¹ said to be Mr. John Hall and Mr. William Cowper.² Its ten ‘heads and articles’ were ‘divers times read publicly in the face of the whole Assembly convened for the purpose, and after voting the same were ratified, approven and concluded by the whole Assembly, and ordained to be observed in all time coming.’³ Whatever may have been said in committee, opposition in the Assembly was of the slightest. Mr. Peter Primrose from Ayr ‘with some other ministers from the West,’ says Calderwood, ‘were minded to protest, but did not’;⁴ and the Assembly, as has been said, unanimously adopted the Report.

¹ James Melvill, *Diary*.

² The eloquent preacher, afterwards Bishop of Galloway.

³ *Book of the Universal Kirk*, iii. pp. 1086-1098.

⁴ *History*, vii. p. 98.

These ten Heads and Articles are of considerable importance. They were evidently drawn up with great care and skill, so as to avoid on the one hand giving offence to the King on points in regard to which he was known to be sensitive, and on the other hand to secure to the Church of Scotland *every one* of her valued Courts—Kirk-Sessions, Presbyteries, Synods, and General Assemblies—along with the due rights of presbyters and the dignity (but also the discipline) of Bishops. They are therefore inserted here in full, with a few comments in illustration of their bearing.

I. 'It is declared that the alleged Assembly held at Aberdeen is null in itself, especially in respect it had not his Majesty's allowance, and was discharged by his Commissioner.

'And because the necessity of the Kirk craves, that for order taken against the common enemy [the Church of Rome] and other affairs of the Kirk, there shall be *yearly General Assemblies*, the indiction whereof the Assembly acknowledges to appertain to his Majesty by the prerogative of his royal crown; and therefore the General Assembly most humbly requests his Majesty that General Assemblies be holden once a year; or at least, in respect of the necessities foresaid, that his Majesty would appoint a certain time at the which the same shall be held in all time coming.

II. 'It is thought expedient that the Bishops shall be Moderators in every Diocesan *Synod*, and the Synods shall be holden twice in the year of the Kirks of every diocese, viz. in April and October. And where the dioceses are large, that there be two or three Synods in convenient places for the ease of the Ministry.

III. 'That no *sentence of excommunication or of absolution* therefrom be pronounced without the knowledge and approbation of the Bishop of the Diocese, who must be answerable to his Majesty for all formal and impartial proceedings therein; and the process being found formal, the sentence to be pronounced at the discretion of the Bishops by the Minister of the parish where the offender dwells, and *the process began*. And in case the Bishop shall be found to have stayed the pronouncing of the

sentence against any person that has merited the same, and against whom the process has been lawfully deduced, the same being tried, and he convicted by the General Assembly therefor, that advertisement shall be made to his Majesty, to the effect another may be placed in his room.

IV. ‘ That all presentations be directed hereafter to the Bishop; and upon any presentation given, or otherways suit made to any to be admitted to the Ministry, the Bishop is to require the *Ministers of these bounds where he is to serve*, to certify by their testificate unto him of the party suitor his past conversation and ability, and qualification for the function: and upon the return of their certificate, the Bishop is to take further trial; and finding him qualified, and being assisted by such of the Ministry of the bounds where he is to serve, as he will assume to himself, he is then to perfect the whole Act of Ordination.

V. ‘ In Deposition of Ministers, the Bishop associating to himself the Ministers of these bounds [*i.e.* the whole clerical members of the Presbytery] where the delinquent served, he is then to take trial of his fault, and upon just cause found, to deprive him.

VI. ‘ That every minister on his admission, shall swear obedience to his Majesty and his Ordinary, according to the form set down in the Conference [at Leith] in the year of God 1571 [1571-2], whereof the tenor follows: “ I, A. B., now nominated and admitted to the Church of D., utterly testify . . . that . . . James VI., by the grace of GOD, King of Scots, is the only supreme governor of this realm, as well in things temporal *as in conservation and purgation of Religion*,¹ and that no foreign prince, prelate, State, or potentate has or ought to have any jurisdiction, power, superiority, pre-eminence or authority within this realm. And therefore I renounce all foreign jurisdiction . . . and shall bear faith and true allegiance to his Highness, his heirs and lawful successors. . . . And further, I acknowledge . . . to hold the said possessions of the same, under GOD, only of his Majesty and Crown royal of this realm. . . .”

¹ These words are taken from the Concordat of Leith (1571-2). See *Book of Universal Kirk*, i. p. 212.

VII. 'The visitation of each Diocese is to be done by the Bishop himself: and if the bounds shall be greater than he can overtake, he is then to make special choice, and to appoint some worthy man to be visitor in his place. And whatsoever Minister, without just cause and lawful excuse made, shall absent himself from the visitation of the Diocesan Assembly, he shall be suspended from his office and benefice, and if he amend not, he shall be deprived.'

VIII. 'Exercise of doctrine is to be continued weekly among the Ministers at the times of their accustomed meetings, and to be moderated by the Bishop if he be present; or else by any other whom he shall appoint at the time of the Synod.'

IX. 'The Bishops shall be subject, in all things concerning their life, conversation, office and benefice, to the censures of the General Assembly, and being found culpable, with his Majesty's advice and consent, to be deprived.'

X. 'That no Bishop be ELECTED, but who has passed the age of forty years complete, and who has been an actual teaching minister for at least ten years.'

Thereafter the General Assembly desired that 'none of the ministers, either in the pulpit or in preaching, should speak and reason against the Acts of this present Assembly, or disobey the same, under pain of deprivation.' The King issued a proclamation to a similar effect.

It is impossible to excuse the pusillanimous abandonment in the first of these 'Heads and Articles' of the confessors of the Aberdeen Assembly of 1605; but the sternest reprobation of this initial baseness should not hinder us from noticing how careful this Glasgow Assembly was for the maintenance and activity of all the four Church Courts secured to the Church of Scotland by the Act of Parliament of 1592—General Assemblies, Provincial Synods, Presbyteries and Kirk-Sessions. A GENERAL ASSEMBLY is to be summoned yearly (Head I.). The SYNOD of every province (which, as in 1560-1572, is termed diocese) shall meet twice a year (Heads II., VI. and VII.). King James disliked the term 'Presbytery,' and he loved neither Kirk-Sessions

nor lay-elders; wherefore the Assembly avoids the obnoxious words but implies the things. For ‘The Ministers of the bounds’ (Heads III. and IV.), the ‘Ministry of the bounds’ (Heads III. and IV.), and ‘the Exercise of Doctrine’ (Head VII.) are just the PRESBYTERY—engaged in the one case in its judicial function of examining candidates for the Holy Ministry, and in the other in the no less necessary, if now neglected, work of furthering sacred study and personal religion among its own members.¹

Finally, the KIRK-SESSION, consisting of the minister and elders of the parish, if not expressly mentioned, is implied in the rule that a process towards Excommunication (Head III.) shall take its beginning there. If again, the Assembly of 1610 was fain to allow to the King cognisance—in all cases of the Greater Excommunication (involving a practical ostracism)—yet this is no more than William the Conqueror required, and obtained from Hildebrand; ² nay, the Scottish Assembly allows of the King’s interposition only so far as to ensure that the proceedings have been in due form and without partiality; which may be justified on the ground that the Sovereign is the protector of all the rights of all his subjects.

The Glasgow Assembly, therefore, still vindicated to CHRIST’S Church that power of discipline the abeyance of which in the Church of England had been a flaw upon her beauty in the eyes of John Knox. Nor by ‘absolution’ did the Church of Scotland mean merely the loosing from ecclesiastical censure. ‘The Minister who preacheth,’ says Alexander Henderson, ‘pronounceth him on his repentance to be absolved in the name of CHRIST from all his sin, and free of the censures of the Church, and have right through faith to CHRIST and all His benefits and ordinances, praising GOD for His grace, and praying that he

¹ The King could the less object to ‘the exercise’ continuing in Scotland, because, as Alexander Henderson informs us, ‘the meetings of ministers for interpreting Scripture *like unto their* [the Church of Scotland’s] *presbyteries*, were allowed by Arundel [*i.e.* Grindal], Hutton, and Matthew, three Archbishops of England, and proved very suitable in the northern parts for increase of knowledge both in ministers and people.’ Grindal was Archbishop of York, 1570-74; Hutton from 1594 to 1606, and Tobias Matthews from 1606 to 1626.—*Government and Order of the Church of Scotland* (1641), preface, p. 3. At page 49 Henderson gives an account of the procedure at these meetings.

² Fuller, *Church History*.

may be fully accepted to His favour, loosed in Heaven, and hear the voice of joy and gladness.’

The Bishops, though presented to their Sees by the King, are to be *elected* (Head IX.), evidently (as were those appointed under the Concordat at Leith) by the dean and chapter of the diocese. Each is to be ‘the Ordinary’ of his respective diocese (Head V.); which he is to visit personally or by suitable deputy (Head VI.); he is to be constant Moderator of his Diocesan Synod (Head II.); he is to be, personally or by deputy, Moderator of the Presbytery within whose bounds he resides (Head VII.); he is responsible for the conduct of all processes leading to the Greater Excommunication; and while he must get from the Presbytery a certificate of the fitness of every candidate for the Holy Ministry, he must (a) himself examine him further; (b) ‘preside’ (such is our modern phrase in the Church of Scotland) at his ordination, ‘being assisted by such of the Ministers,’ members of the local Presbytery, as he will assume; and thus is ‘to perfect the whole act of ordination.’ In like manner (c) when occasion calls, he is to be the leader at the deprivation of a minister. Nor, while ‘subject in all things concerning his life, conversation, office, and benefice to the General Assembly,’ can he be deprived simply by that Court, or in any other way than ‘by advertisement made to his Majesty’ (III.), ‘or with his Majesty’s advice and consent’ (VIII.). Accordingly, the records of the Assembly of 1610 lend no manner of sanction to the claim made, and acted on, by its formidable successor of 1638, to depose the entire Scottish Episcopate.¹

Two omissions—or apparent omissions—from these ‘Heads and Articles’ may be here adverted to. The first of these is that *no place in the General Assembly* is provided for the Bishops. Of course they would be there, either elected as commissioners from their Presbyteries, or sitting (as the Assembly of Linlithgow in 1608) without election in virtue of their Sees. The second omission strikes the modern reader as still stranger: Why is not a word said about *the consecration of the Bishop?*²

¹ *Government and Order of the Church of Scotland*, p. 44. Cf. *Confession of Faith*, xxx. 2.

² Scot of Cupar declares that the Glasgow Assembly of 1610—‘that perfidious pack’—‘howbeit they tied presbyteries and synods to the bishops,’ omitted all mention of consecration, inasmuch as ‘they meant not

The reason is, I venture to think, that the Assembly's whole procedure was taken in view of the Act of Parliament of 1606,¹ which restored, as we have seen, 'the estate of Bishops as the same was in the Reformed Kirk,' by the decision of the Convention at Leith, confirmed by the General Assembly of Perth in 1572. This provided that the King, on receiving the Chapter's certificate of an election made, should issue under the great seal a letter to '*the Archbishop of S. or to whatsoever other Bishops to whom in this part it appertains . . . commanding them to consecrate the said A. B. elected to be Bishop and pastor of the Kirk aforesaid.*'²

There were provisions here with which, in the circumstances of the Church of Scotland in 1610, it was not possible, or at least not easy, to comply. There would have been some awkwardness, on the one hand, in asking the chapters to 'elect' men who had already been for several years recognised by General Assemblies as Bishops of the several Sees;³ but this inconvenience should have been accepted were it only as a witness that the law had been observed.⁴ Then, secondly, the Convention of Leith—being held before the Union of the Crowns—had not contemplated the employment of other than Scottish consecrators. Moreover, there was the double difficulty, that (1) if the new Scottish Bishops were to be consecrated by men who at most were presbyters, they could not, according to

to determine that there was a distinct office of a bishop in the Word of God different from the office of a minister, or *that ordination of presbyters was tied to them by Divine right.*' He goes on: 'And if consecration had been intended [which he has to admit, because it was required by the Leith Concordat], yet ought they not to have received it from a foreigner without consent of the convention [the Assembly of 1610], but should have contented themselves with that which was used in 1572.'—*Apologetical Narration* (written about 1625), p. 231. Alexander Henderson in like manner complains that Spottiswood and the others 'did come into England, and without the consent or knowledge of the Church of Scotland received consecration, and returning home did consecrate others like themselves.'

¹ *Scots Acts*, James VI., xviii.

² *Book of the Universal Kirk*, i. p. 219.

³ All of them had held their Sees previous to 1606—David Lindsay (one of the Reformers of 1560) had been Bishop of Ross since 1600; John Spottiswood had been Archbishop of Glasgow, and Peter Blackburn had been Bishop of Aberdeen since 1603; and George Gledstanes had been Bishop of Caithness since 1600 and Archbishop of St. Andrews since 1606. Every one of them was a Scotsman of purely Scottish blood, and had served the Church of Scotland in her ministry for many years.

⁴ See the censures of Dr. Wordsworth, Bishop of Salisbury, in *Unity and Fellowship*, p. 43.

English law be recognised as Bishops south of the border ; and (2) there was only one Scottish Bishop alive who had received any sort of consecration—old Neil Campbell, the retired Bishop of Argyll, the last survivor of the Convention of Leith episcopate.

How, then, were the Bishops, whom Church and State in Scotland had thus called for, to be consecrated ? King James had a plan of his own, skilful enough, if neither quite legal in itself nor carried out with perfect candour. He summoned to London three of the Scottish prelates, and he ‘ requested and required ’ the Archbishop of Canterbury and the other English Bishops to perform for him the consecration which he much desired (‘ he had no authority to allege but his own desire ’)¹ of John Spottiswood as Archbishop of Glasgow, of Gavin Hamilton as Bishop of Galloway, and of Andrew Lamb as Bishop of Brechin, asserting in his patent (what was hardly true) that those Sees had long been vacant (if the Sees were vacant, then why did not the new Bishops go through the process of election by the Chapters ?) and that they appertained to his nomination, presentation, and dispensation solely and entirely by right of his crown of Scotland.² He did indeed, in his instructions alike to the English and the Scottish prelates, take every precaution ‘ that no prejudice ’ should ‘ be engendered ’ from these consecrations ‘ to the detriment of the Church of our realm of Scotland, and to its privileges and immunities ’ ; and, accordingly, the English Bishops did their best as regards the oaths which they required the three Scotsmen to take.

What happened when these went up to London is best told in Spottiswood’s own words :³—

‘ At their first audience the King declared what the business was for which he had called them, speaking to this purpose : That he had to his great charge⁴ recovered the bishoprics forth of the hands of those that possessed them, and bestowed the same upon such as he hoped would prove worthy of their places :

¹ *I.e.* p. 42.

² There was something to say for this claim. King William the Lion had acted on it, but it was certainly not according to the Convention of Leith.

³ Spottiswood, *History of the Church of Scotland*.

⁴ This was quite true: the King had spent a great deal of money to recover the Church property out of lay hands.

but since *he* could not make them Bishops, and they could not assume that honour to themselves, and that in Scotland there was not a sufficient number ¹ to enter charges by consecration, he had called them to England that being consecrated themselves, they might at their return given ordination to those at home, and so the adversaries’ mouths be stopped, who said that he did take upon him to create Bishops and bestow spiritual offices, which he never did, nor would presume to do, acknowledging that authority to belong to CHRIST alone, and those HE had authorized with HIS power.

‘ The Archbishop of Glasgow answering in the name of the rest, “ That they were willing to obey his Majesty’s desire, and only feared that the Church of Scotland, because of old usurpations,² might take this for a sort of subjection to the Church of England.” The King said that he had provided sufficiently against this; for neither should the Archbishops of Canterbury nor York, who were the only pretenders, have hand in the business, but consecration should be used by the Bishops of London, Ely and Bath. The Scots Bishops thanking his Majesty for the care he had of their Church, and professing their willingness to obey what he would command, the 21st October was appointed for the time, and the Chapel of London House the place of consecration.’

‘ A question in the meantime was moved by the learned and pious Dr. Lancelot Andrewes, Bishop of Ely [the most ‘ High Church ’ prelate of his day in England], touching the consecration of the Scottish Bishops, who, as he said “ must *first be ordained presbyters as having received no ordination from a bishop.*” The Archbishop of Canterbury, Dr. Bancroft, who was by, maintained, that thereof there was no necessity, seeing, where Bishops could not be had, the ordination given by presbyters must be esteemed lawful; otherwise it might be doubted if there were any lawful vocation in most of the Reformed Churches. Thus applauded by the other Bishops, Ely

¹ The canonical three.

² The claims of Canterbury and York to primacy over the Scottish Church in the reigns of Alexander I. and his successors. Both claims had been silenced by the Bull of Pope Honorius III. (1218), but might have been conceived to have revived with the abjuring of the Pope’s authority. See Grub, *Ecclesiastical History of Scotland*, i. chap. xx.

acquiesced, and at the day and place appointed the three Scottish Bishops were consecrated.’¹

Neale, the historian of the Puritans, informs us further that the Scots divines (Spottiswood and his two companions) were unwilling to submit to reordination before consecration ‘through fear of the consequence among their own countrymen; for what must they conclude concerning the Ministers of Scotland, if their own ordination as presbyters was not valid?’

We learn from Heylin some additional particulars—that the consecrating prelates were ‘Doctor George Abbot, then Bishop of London (afterwards Archbishop of Canterbury), Doctor Lancelot Andrewes, Bishop of Ely (afterwards Bishop of Winchester), Doctor James Montague, Bishop of Bath and Wells, and Doctor Richard Neile, then Bishop of Rochester (afterwards Bishop of Durham).’ Collier adds a fifth from Abbot’s *Register*—Henry (Parry), Bishop of Worcester. Heylin corroborates Spottiswood that Bancroft himself forebore to lay hands upon them, for the avoiding of all scruples among the Scots, as if he pretended any jurisdiction or authority over them,² consenting very cheerfully thereto (says Heylin in another place), ‘as not caring who participated in the honour of it as long as the Churches of both Kingdoms might receive the benefit.’

In view of *Resolution 75* of the Lambeth Conference of 1908 that ‘in the welcome event of any project of reunion between any Church of the Anglican Communion and any Presbyterian or other non-Episcopal Church which, while preserving the Faith in its integrity and purity, had also exhibited care as to the form and intention of ordination to the Ministry, reaching the stage of responsible official negotiation, it might be possible to make an approach to reunion on the basis of consecration to the episcopate on lines suggested by such precedents as those of 1610,’³ it is happily unnecessary to discuss the efforts which have been made to impugn the accuracy of Spottiswood’s narrative. The first ground of objection urged has been the assumption—for it is no more—that ‘so strong an opponent of Presbyterianism as Bancroft’ could not have spoken as

¹ Spottiswood, *History of the Church of Scotland*, anno 1610.

² *Life of Laud*, p. 58.

³ *Conference of Bishops*, 1908, p. 65.

Spottiswood says he did, and that King James detested Presbyterianism. But one may dislike and disapprove of a system without deeming its orders invalid. It would have been very surprising indeed if Bancroft, or Andrewes either, or any English prelate of that age, had denied the orders of the non-Episcopal Reformed Churches; and Heylin himself has preserved for us the letter in which King James, ‘following the pious example which GOD had put into the heart’ of Queen Elizabeth, ‘willed and ordained that our said Isles of Jersey and Guernsey, parcel of the Duchy of Normandy, should enjoy their liberty’ in ‘the use of the *Presbyterian Government* of the Reformed Churches of the said Duchy, whereof they stood possessed until our coming to the crown.’ The second ground has been a statement of Jeremy Collier, who (though allowing that Bancroft spoke as Spottiswood has reported him, and criticising his argument, which ‘seems to stand,’ he says, ‘on a slender bottom’) proceeds: ‘But after all, as the learned Heylin represents the matter, Bancroft went upon a much more defensible principle: he argued that there was no necessity the Scotch Bishops should pass through the intermediate orders of deacon and priest, for that the episcopal character might be fully conveyed at a single consecration: and for this he cited some considerable precedents in the ancient Church.’¹

It is always well in such matters to verify references; and on turning to Heylin² one finds that, though on a cursory reading he seems to assert, as Collier understood him, that Bancroft had actually brought forward the idea of a consecration *per saltum*, yet in reality Heylin says no more than that Bancroft might have done so.³ In his *Life of Laud* Heylin mentions the consecrations, but says nothing at all either as to Andrewes’ question or Bancroft’s answer; he tells us, however, on the next page that, in 1611, William Laud received the appointment of royal chaplain, and so entered on that career at court which was to lead alike to his power and his calamities, so that, as a matter of fact, Laud had nothing to do with the restoration of

¹ *Ecclesiastical History of Great Britain*, by Jeremy Collier, M.A. (London, 1714), vol. ii. p. 702, Book viii. sub-A. 6 p., Bancroft.

² *History of the Presbyterians*, from the year 1536 to the year 1647, by Peter Heylin, D.D. (Oxford, 1670), p. 387.

³ At least this is the writer’s interpretation—he will not call it the only possible one.

Episcopacy in Scotland, or 'the precedents of 1610,' except in the way of subsequently acknowledging and honouring the Church of Scotland as those 'precedents' had made her.

Yet another point, which has caused some questioning in England, may be here cleared up. Collier observes that 'the distinctions and additions of these three Scottish Bishops before consecration stand thus in (Archbishop) Abbot's *Register*, fol. 14: "Mr. John Spottiswood (minister and concionator, as the King's Mandate speaks) was consecrated Archbishop of Glasgow; Mr. Gavin Hamilton, minister and concionator, was consecrated Bishop of Galloway, and Mr. Andrew Lamb, minister and concionator, was consecrated Bishop of Brichen.' The explanation of these designations is this: 'Minister' in Scotland means 'presbyter'; it is never applied in our books to a probationer; while the Concordat of Leith, which lay behind all these transactions, expressly required that a Bishop, besides being an ordained minister, should also be emphatically 'a preacher of the Word of GOD'—not a mere courtier-ecclesiastic, but one who exercised habitually and well that function of preaching which was so prominent among the duties of the Primitive Bishop, and had been so shamefully neglected by the later pre-Reformation Bishops in Scotland. The Leith Concordat prescribes that the term shall appear alike in (1) the testimonial of the Bishop-elect's fitness which must be sent in to the King and his regent by the dean and chapter electing, and (2) in the 'confirmation, provision, and royal assent.' It supplies therefore additional support to Dr. Grub's contention that, in the steps taken for the restoration of Episcopacy in Scotland, the chief features of the polity which had been agreed to by Church and State at Leith during the Regency of the Earl of Mar were carefully copied by the King.¹

Soon after the return of the three prelates to the north, the other Bishops were consecrated. The first consecration was that of Archbishop Gledstones, which took place at his own primatial city in the month of December: the consecrators were Spottiswood, Hamilton, and Lamb. On the 15th of March 1611, Alexander Douglas of Moray was consecrated at Edinburgh by the Archbishop of St. Andrews, 'assisted, there can be no doubt,

¹ Grub, *Ecclesiastical History of Scotland*, ii. p. 294.

by other bishops’;¹ the Bishops of Aberdeen and Caithness were consecrated in the Cathedral Church of Brechin by the same Archbishop, assisted by the Bishops of Dunkeld and Brechin; and in a letter to the King, dated 3rd May 1611, the Primate was able to report to the King that all the Bishops of his province (St. Andrews) had consecrated.² There is nothing to indicate that any one of the ten consecrated in Scotland was reordained: on the contrary, James Melvill tells us that the three who returned from England ‘did to the Archbishop of Saint Andrews at Saint Andrews as they were done at Lambeth, all as near as they could possibly imitate.’³ Row adds that ‘Thereafter the two Archbishops performed the consecrations at first “quietly,” but afterwards “very solemnly” (with much ceremony), as their state grew and was favoured by their Prince.’

Throughout the twenty-eight years that followed, all ordinations of ministers in Scotland were by the laying on of the hands of the Bishops thus consecrated and of those consecrated by them, *with the laying on of the hands of the Presbytery* at the same moment.

Of the clergy whom the Bishops of 1610 found in the parishes not one was reordained. And this, not because of any hesitation as to whether ordination ‘by the laying on of the hands of presbyters orderly associated’ was a Divine ordinance which the Church had no liberty to abandon; but precisely for the opposite reason. In the period commencing in 1610 every Bishop in Scotland concurred in the sentiments expressed by the most sagacious of their number, Bishop Patrick Forbes of Aberdeen: ‘The Pastors of our Reformed Churches having (in common) had even an ordinarie calling, and therewith, holding the true Apostolike doctrine, are the successors of the Apostles,’ and the Romanists ‘are more than impudent to deny our ordinarie vocation.’⁴ Archbishop Grindal had already spoken of ‘ordination by the laying on of hands according to the laudable form of the Church of Scotland,’ and the Canons of 1604 had

¹ *I.e.* p. 298.

² *I.e.* p. 298.

³ James Melvill, *Diary*, p. 604.

⁴ Bishop Patrick Forbes of Aberdeen, *Defence of the Lawful Calling of the History of the Reformed Churches*, Middelburg, 1614. See for a full discussion of the subject Mr. H. J. Wotherspoon’s paper on ‘Adequate Security for the Continuance of the Ministry in Reunion,’ *The Necessary Requirements of the Church of Scotland*, J. G. Hitt, Edinburgh, 1909.

required the mention of the Church of Scotland in the bidding prayers of the Church of England.

Nor was there any failure on the part of the English Church to recognise the orders of the clergy thus left in their respective parishes. Bishop Andrewes, who had raised the question at the consecration of Spottiswood, came to Scotland in 1617; while in the North he made the friendship not only of younger ministers of the type of John Maxwell, afterwards Bishop of Ross, and of James Wedderburn, afterwards Bishop of Dunblane, but of men like Dr. William Guild of Aberdeen, whose orders were those he had received at the hands of the Presbytery of Turiff in 1608, when there was no canonical Bishop to take part in the service. The intercourse between the two National Churches had never been quite suspended: henceforth, till the outbreak of the 'Troubles' in 1638, it was full, frank, and frequent.¹

But how, it may be asked, did the Church of Scotland as a body take the alteration of her government from Presbytery to Episcopacy, thus effected in 1610? There was certainly an influential party, in several Presbyteries, who very much disliked the alteration. Thus the Presbytery of Haddington wrote to Archbishop Gledstones recording its desire that 'the old discipline prescribed, confirmed, and practised, with good reason out of GOD'S Word, may be retained,' and 'in the meantime requested not to be pressed and urged to the accepting and practising of any other discipline and government of the Kirk'; but when this was presented at a meeting of the Synod of Lothian, the only result was that a few ministers withdrew from the meeting.² At the Synod of Fife, 'whatsoever thing the Bishop put to voting was concluded as it pleased him.'³ In the North, the minister of Forres, who had disobeyed the Assembly by 'teaching against the estate of bishops,' and 'would not acknowledge the Bishop of Moray to be his judge,' was 'warded in the

¹ Several Ministers of the Church of Scotland at this period obtained high preferment in the Church of Ireland—*e.g.* Archibald Hamilton, Minister of Paisley, 1610-1623, was consecrated Bishop of Killala and Achonry in 1623, and was promoted in 1630 to be Archbishop of Cashel, which office he held till his death in 1659. The date of his ordination was three months before the consecration of the Scottish Bishops, and he must, therefore, have received Presbyterian ordination (*Fasti Eccl. Scot. ; Fasti Hib. Eccl.*).

² Calderwood, vii. pp. 124-131.

³ *I.e.* p. 59.

Castle of Inverness.’¹ But elsewhere there was no trouble, so much so that Scot of Cupar complains: ‘This is the ruin of our Kirk, that ministers resort to their Assemblies, and do not protest for the right constitution and freedom of the Assembly, but join them, where they cannot be overthrown with plurality of votes.’² The course which Scot deplures was taken, it is clear, at the instigation of *the best of those* ministers who regretted the introduction of Episcopacy, and hoped to see Presbyterianism restored in the Church. Thus, in the Synod of Lothian ‘Mr. Archibald Simson shewed a letter to some brethren, written by his brother, Mr. Patrick Simson, advising Mr. Archibald to tolerate and present himself to the Synod; and sundry were content to take hold of this advice, and coloured their obedience with it.’³ The course which Patrick Simson advised to others was that which he took in his own person—‘he acknowledged the authority of the diocesan synods.’ And he was then, says Calderwood, ‘a man of great account in our Kirk.’⁴ Calderwood discusses at length, as a case of conscience, the lawfulness of attending presbyteries and synods while these are under bishops; and answers—‘We may lawfully compear and protest for the conditions of a free synodal assembly. If the protestation be admitted, sit down; if not, depart, and suffer violence.’⁵

The people for their part made no stir: whether satisfied or not, they maintained silence.

The change, accordingly, was consummated without any schism. There were none in Scotland who left the Church of

¹ Scot, *Apologetical Narration*, p. 240.

² *I.e.* p. 241.

³ Calderwood, vii. 129.

⁴ *I.e.* p. 159.

⁵ *I.e.* p. 139. It is interesting to note that in the Convocation of Ministers at Edinburgh, 14th November 1842, when the secession of 1843 was resolved on, Dr. Begg objected to the Resolutions because of ‘the account they gave of our duty to the State.’ ‘We have more to do,’ he said, ‘than to warn and remonstrate; we have to wait and suffer’; and ‘we have been accustomed to hold that nothing but compulsion—moral and physical—could drive us out. This was the view of our fathers. To this is owing the Second Reformation of Scotland. They kept their posts, in despite of civil persecution, until they were backed by the people. One exception—Middleton’s Bill of Conformity, when 400 ministers were driven out—but we have not this necessity yet. He had met an elder this morning who said to him, “If you leave your posts you will deserve to be abandoned: if you stay by them I will spend my last shilling upon you.” I am of this mind.’—Wilson, *Memorials of Candlish*, pp. 236-7.

Scotland because it had become Episcopal. As there was only one Church in Scotland before the alteration, so there was only one Church in Scotland after it—that which both before and after the change called itself, and felt itself, the Church of Scotland—the ‘true Kirk of GOD,’ as it had been designated in the Act of Parliament of 1571, the ‘true and holy Kirk,’ as it is styled in that of 1592.

There was no separation from its communion. Even those who most disliked (and in conscience disapproved of) the changes made, felt that secession was not necessary, and would, therefore, be sinful. Neither do we hear of any members of the Church of England leaving that Church because she had acted as she did either in regarding the Church of Scotland as a part of the Church Catholic, or in giving her prelates consecration in this fashion, or in treating her, and the whole body of her clergy, as henceforth in full communion. If ‘the precedents of 1610’ are to be acted on in our day, we may surely devoutly hope that THIS ‘precedent of 1610’ also will be followed by Presbyterians and Anglicans.

The next Scottish Parliament met at Edinburgh on the 12th of October 1612. Its first Act was ‘A Ratification of all the acts and conclusions set down and agreed upon in the General Assembly of the Kirk kepted in Glasgow in the month of June 1610, together with an Explanation made by the Estates of some of the articles of the same.’ Its preamble is worth citing: ‘Forasmeikle as in the late Parliament holden at Edinburgh in the year of GOD 1597,¹ the Estates of this kingdom remitted to his Majesty to consult and agree with the General Assembly of the Kirk upon the authority and power which the Archbishops and Bishops should have in the policy and discipline of the Kirk; whereanent, after that his Majesty and his Commissioners had many times seriously conferred and advised with the Ministry, at last conclusion was taken in the General Assembly holden at Glasgow in the month of June, 1610, determining all the doubtful and controverted points concerning the jurisdiction, policy, and discipline foresaid; with full and uniform consent of a very frequent number of godly Ministers, assisted by the counsel and

¹ So soon after ‘The Charter of Presbytery’ Act, 1592.

concurrence of a great many of the best affected Nobility, Barons, and Commissioners of Burghs of this Kingdom, in manner, substance, and effect.’

The form of Church Government described in the foregoing pages continued in the Church of Scotland till 1638, when it was violently overthrown, and the Church again became Presbyterian, with the exile, indeed, as before, of many learned men and the deposition of others, but, as in 1610, without any schism in Scotland. It does not fall within the scope of this paper to relate the incidents of this period of Episcopacy or to pronounce an opinion on its influence upon the people. To the writer it seems that the Scottish Bishops of this age compare not unfavourably with their English brethren; that some of them were men of much learning and piety; that the inferior courts were kept up to their duty; that the clergy were diligent; that the work of church extension was vigorously carried on; and that alike in the departments of sacred learning and ecclesiastical architecture, the Scottish Church at this period exhibited a liberality and taste unparalleled till our own day; while frequent gifts of communion and baptismal plate evinced the gratitude and affection of many of the laity. Nor may we forget that to this period—and very specially to King Charles I.—belongs what Mr. Hume Brown has called ‘the beneficence of the great Act of Parliament, which secured for the ministers of the National Church an adequate and permanent provision for her ministers.’

It is, however, admitted by all that the system had no fair trial. An annual meeting of the General Assembly was an essential condition of the Church’s assent to the restoration of Episcopacy; in defiance of this, only three General Assemblies (those of 1616, 1617, and 1618) were allowed to meet; and even these were improperly constituted. Then, first King James VI. and afterwards King Charles I. insisted, without warrant from the Church, in forcing changes in her worship, to which (whatever their intrinsic merits) many of the ministers were conscientiously opposed, and for which very few indeed of the people were prepared. In this and in other ways Episcopacy became identified with ‘arbitrary power’; and when in 1637-8 the crisis came, the hierarchy fell before what appeared the uprising of an indignant nation.

PAPER III

ARCHBISHOP USSHER'S PROPOSALS (1641)

By the late Right Rev. BISHOP DOWDEN, D.D.

To meet the deep-rooted and not unjustifiable discontent of the English people caused by the tyranny of the Ecclesiastical Courts of the Church of England at the time of the beginnings of the Great Rebellion, Archbishop Ussher, apparently in the early months of the year 1641, drew up a scheme which he entitled 'The reduction of Episcopacy under the form of Synodical Government received in the Ancient Church.' Copies of the draft of this scheme were circulated among a few; but the document was not printed (so far as I can discover) till after the Archbishop's death, the year 1657, when it was published from a copy made in his own handwriting, and subscribed by himself and by Dr. Richard Holdsworth, who in 1641 was Master of Emmanuel College, Cambridge, and subsequently Dean of Worcester.

Moderate counsels such as Ussher's, had they been adopted by King Charles, or, if he had shown any interest in combating the evils of the then existing system, might have done something to modify materially the violence of the 'Root and Branch Bill,' which was before a committee of the House of Commons early in June 1641.¹ For Ussher himself, his proposals had probably no further interest; but some few years before his death he handed a copy to his chaplain, Nicholas Bernard (afterwards chaplain and almoner to Oliver Cromwell), and from this copy Bernard printed the proposals in 1657.

It is the vast learning, the calm and balanced judgment, and the high character of Ussher, which gives importance to his scheme, to which may be added his solemn declaration that in

¹ See Dr. S. R. Gardiner's *History of England from the Accession of James I. to the Outbreak of the Civil War*, vol. ix. p. 357.

his judgment 'the form of government here proposed is not in any way repugnant to the Scripture.'¹ And it will be remembered that he was a staunch supporter of the Episcopal form of Government.

In certain prefatory remarks, entitled 'Episcopal and Presbyterial Government conjoined,' he maintains that all Presbyters possess a share in the discipline of the Church. He further maintains that in the Church of Ephesus, in the Apostolic age, of the many elders or Presbyters, there was one President; and he considers that it is this President who is referred to in the Revelation of St. John as 'the angel of the Church of Ephesus.' He then cites Ignatius of Antioch, Tertullian and Cyprian, to show that the chief President, or Bishop, in the early Church ruled, in matters of ecclesiastical judicature, always in consultation with the Presbyters. He cites the 4th Council of Carthage, that 'the Bishop might hear no man's cause without the presence of the clergy, and that otherwise the Bishop's sentence should be void, unless it were confirmed by the presence of the clergy.'

The practice of the ecclesiastical courts of the time in the Church of England was widely different from that of the Ancient Church; and he desired an alteration of the law in the direction of early precedent.

Ussher then promulgates his plan, 'How the Church might synodically be governed, Archbishops and Bishops being still retained.' His plan occupies little more than two octavo pages, and it may be sufficiently exhibited as follows:—

1. In every parish the rector or pastor, together with the churchwardens and sidesmen, may every week take notice of such as live scandalously in that congregation. If they cannot be reclaimed by admonitions and reproofs, they may be presented to the next monthly synod, and in the meantime debarred from the Lord's table.

2. Suffragans might be appointed as Bishops, one to each rural deanery in the diocese. The suffragans (who would supply the place of the chorepiscopus in the Ancient Church) might every month assemble a synod of all the rectors in the deanery, and might 'according to the major parts of their voices' con-

¹'The Reduction of Episcopacy,' etc., will be found in vol. xii. of Elrington's edition of Ussher's *Works*, pp. 530-536.

clude all matters brought into debate, and might pronounce excommunication on the contumacious and incorrigible presented as in Section 1. And this synod might deal with the doctrine or conversation of parish ministers, allowing an appeal to the Diocesan Synod, now to be described in Section 3.

3. The Diocesan Synod, held once or twice in the year, should consist of 'the Bishop or Superintendent (of the diocese), call him whether you will,' all the suffragans, and the rest of the rectors, or a certain select number of them from every deanery. The Bishop of the diocese, or one of the suffragans, whom he should depute in his stead, should be 'moderator of that assembly.'

This was a court of appeal from the synods of the deaneries, and matters of difficulty might be referred to the next 'provincial synod,' to be described in Section 4.

4. The provincial synod might consist of all diocesan Bishops and suffragans, 'and such other of the clergy as should be elected out of every diocese within the province.' 'The Archbishop of either province might be moderator of the meeting, or in his room one of the Bishops appointed by him, and all matters ordered therein by common consent, as in the former assemblies.' This provincial Synod might be held every third year.

5. Under certain circumstances, the two provincial Synods (Canterbury and York) might sit together, and form a National Council, wherein all appeals from inferior synods might be received and dealt with. And by this National Council all ecclesiastical constitutions which concern the state of the whole nation should be established.

6. Appended is the judgment of Archbishop Ussher and of Dr. Holdsworth that the suffragans, mentioned in Section 2, 'may lawfully use the power both of jurisdiction and ordination according to the Word of God, and the practice of the Ancient Church.'

Thus closes Ussher's outline of a scheme which attracted much attention at the time of the Restoration, but which had no chance of being seriously and patiently considered by the Royalist and Episcopal party in the flush of their triumph, and while the memories of their ejection and sufferings, at the hands of the other party, were still fresh.

P A P E R I V

PROPOSALS OF THE ENGLISH PRESBYTERIANS
FOR UNION AT THE RESTORATION

By the Rev. GEORGE W. SPROTT, D.D.

1659

ON the 25th of May Richard Cromwell resigned the Protectorate, and anarchy prevailed till Monk assembled the surviving members of the Long Parliament. They endeavoured to reinstate Presbytery, which had been in a great measure overthrown; approved anew the Westminster Confession, replaced the Solemn League and Covenant on the walls of the House of Commons, and ordered it to be read once a year in all the churches. After a few months they issued writs for the election of a new Parliament and dissolved.

1660

The Convention Parliament met on the 25th of April, and negotiations were begun for the recall of the King. On the 17th of May some of the most eminent of the Presbyterian clergy had a conference with him in Holland, when they informed him that they were willing to accept a moderate Episcopacy and a Reformed Liturgy. A few days afterwards the King sent a Declaration to the Parliament from Breda, in which he promised religious liberty, and thereupon he was restored without conditions. On the 29th of May he entered London, and soon after appointed ten of the leading Presbyterians as his Chaplains in Ordinary. A large majority of the clergy were Presbyterians, and they held the principal posts in the Church and the Universities. The Independents did not now desire comprehension, but only toleration. At the King's request the Presbyterian clergy laid before him their proposals for the reconstruction of the Church. They offered to accept Ussher's Reduction, and gave it as their opinion 'that Synodical Government with a fixed presidency was most agree-

able to Scripture and to the Primitive Church, and the likeliest way of a more universal concord if ever the churches on earth arrive at such a blessing.' They asked that suffragans should be appointed in every diocese, and that no oath or promise of obedience be required before ordination. They said they were satisfied as to the lawfulness of a liturgy if consonant to those of other reformed churches, if not too rigorously imposed, and if it did not exclude free prayer. As to ceremonies they urged that kneeling at the Communion, the use of the Cross in Baptism, and holidays of human institution should not be made compulsory; and they expressed their desire that the Prayer Book should be revised by learned men of both persuasions, and that some additions should be made which might be used by members at their discretion. The King received their proposals favourably. The Bishops drew up a reply to them declining Ussher's Reduction, as in their belief the Primitive Episcopacy was more than a presidency of order. They said they did not object to a revision of the Liturgy. The Presbyterians next petitioned the King to suspend proceedings till a settlement should be arrived at, and that in the meantime oaths of canonical obedience should not be required, and that there should be no reordination of those ordained by Presbyters. He replied that he would put in the form of a Declaration what he was willing to grant.

On the 25th of October the Declaration was issued. In it the King stated that Episcopacy would be maintained but moderated; that ordinations would take place with the advice and assistance of Presbyters, and that oaths of canonical obedience would be dispensed with; that no Bishop should exercise arbitrary power; that each rural deanery should meet monthly to receive complaints from ministers and churchwardens and adjudicate thereon; that no minister should be deprived of a benefice, 'who declared his assent to all the doctrinal articles and to the sacraments'; that an equal number of ministers of both persuasions should be chosen to revise the Liturgy, make alterations, and add forms which those who preferred them might use; that kneeling at the Communion, the Cross in Baptism, bowing at the name of Jesus, and the use of the surplice should be left open questions to be determined by a National Synod.

The Presbyterian ministers of London accepted these con-

cessions as adequate, and resolved to submit to the proposed model of Church Government, though it was not in all respects what they desired. On the 16th of November they sent a letter of thanks to the King, and at the same time implored him that reordination and the use of the surplice in colleges be not imposed. In consequence of the Declaration Reynolds accepted the Bishopric of Norwich; and Baxter and Calamy, who were also offered Bishoprics, promised to accept them when the Declaration was made law. On the 9th of November Parliament thanked the King for his Declaration, and the Commons ordered a Bill to be brought in to pass it into law, but on the 28th of that month it was rejected by a majority of twenty-six. Bishop Kennet says, 'The Declaration may serve for a pattern to posterity whenever they are disposed to restore the discipline and heal the breaches of the Church.'

1661

The Convention was succeeded by the Cavalier Parliament, which met on the 8th of May. It led the general reaction against Puritanism. It ordered the Solemn League to be burned, and restored the Bishops to the House of Lords.

The Savoy Conference was convoked by the King to continue from the 25th of March till the 25th of July. It consisted of twelve Bishops and nine assistants, and an equal number of Presbyterians, among whom were Bishop Reynolds and several of the most distinguished divines of the Westminster Assembly. The first meeting was held on the 15th of April. The Bishops held that they had no commission to discuss anything but the Liturgy, and as they were satisfied with it as it stood they insisted that the Presbyterians should state in writing all their objections to the Book, and furnish the additional forms which they desired.

Accordingly they presented a long list of exceptions, some of which they said were of more, some of less, importance, and others verbal rather than material. The Bishops, having considered the changes proposed, replied that they could not consent to most of them, and that they heartily desired the suppression of free prayer. They admitted, however, that the manner of consecrating the elements should be made more explicit. About ten days before the Commission expired they asked the Presbyterians to

point out anything in the Prayer Book which they thought contrary to the Word of God. They specified eight things which they considered sinful, and one of these was selected for discussion, viz., 'to deny Communion to all who dare not kneel is sinful.' On this point there was an elaborate but fruitless debate. Along with their proposals the Presbyterians presented a petition to the Bishops craving that as they could not obtain Ussher's scheme they might enjoy the reformation in discipline and freedom from ceremonies promised in the King's Declaration, and that reordination, whether absolute or hypothetical, should not be required in the case of any who had been ordained by Presbyters. 'We doubt not,' they say, 'but you know how new and strange a thing it is that you require in the point of reordination,'—that former Bishops and 'even Bancroft were against it.' From this time the settlement of the Church was left wholly to Convocation and Parliament. On the 20th of November the King summoned Convocation to revise the Liturgy, and to make such changes and additions as they thought fit. They made six hundred alterations, but they were chiefly verbal. Burnett says that none of them were in favour of the Presbyterians, but a few of them were in accordance with their suggestions. For example the consecration of the elements was amended, and fraction was now enjoined for the first time, though it is said to have been previously in use. The 'Black' rubric was also restored in an amended form, and the general thanksgiving compiled by Bishop Reynolds was added. On the other hand a great change was made on the ordinal, to meet the charge that it had previously contained nothing to distinguish the order of Bishop from that of Presbyter, and the clause 'or hath had formerly Episcopal consecration or ordination' was added to the preface.

1662

The King approved the Book as revised and sent it to Parliament, which, on the 19th of May 1662, passed the Act of Uniformity by a vote of 186 to 180. Every minister was now obliged to declare his unfeigned assent and consent to all and everything contained in the Book of Common Prayer, to abjure the Solemn League and Covenant, to take the oath of canonical obedience

to the Bishop, and all not in Episcopal orders were obliged to accept reordination. The terms of conformity were thus much higher than before the Civil War. About two thousand refused to submit, and were expelled from rectory and vicarage, cathedral close and college hall, with the loss of the means of living, and of a year's salary which in a few days would have been due. Among those deprived there were a few Independents and Baptists, but the great majority were Presbyterians, many of whom were episcopally ordained.¹ The chief reasons for the sacrifice they made, were the declaration of assent to everything in the Prayer Book and reordination which they considered sacrilegious. Under the Act of Elizabeth, 13 cap. 12, many Scottish and foreign Protestants in Presbyterian orders had till that time held livings in the Church of England. This is sometimes denied, but the proof is overwhelming, and the fact is admitted by episcopal writers of the highest standing, such as Bishops Cosin, Fleetwood and Burnet, and in recent times Goode, Keble, and Bishop Charles Wordsworth. Indeed, the Act of Uniformity was aimed rather against those who were ordained during the Rebellion than against Presbyterian ordination in general, as it contains a clause which left the door open for the admission to benefices without reordination of foreign reformed ministers. Soon after it became law, a French Protestant ordained by Presbyters was admitted without reordination to a rectory in Kent, in succession to one who had been deprived because ordained by Presbyters during the Commonwealth, and 'many of the ministers (in the Channel Islands) had no more than Presbyterian ordination till the year 1820.'²

¹ Child's *Church and State under the Tudors*.—London: Longmans, Green and Co., 1890.

² 'The ministrations of those who had only Presbyterian orders were for a long course of years up to nearly the present time habitually used by the Society for the Propagation of the Gospel, which is under the special direction of the Bench of Bishops.'—Goode's *Orders of the Foreign Non-Episcopal Churches*, p. 53. London: Hatchard, 1852.

'By far the ablest Protestant missionaries in connection with the Church of England have throughout been not Germans only but Lutherans. In 1842 the number of Lutheran ministers on the list of the Church Missionary Society amounted to twelve.' Archdeacon Grant's *Bampton Lectures* (1843), p. 13. Note (quoted by Bishop Charles Wordsworth).

'The ministers in Lutheran orders employed by these Societies ordained native ministers in India before and even after an English Bishop had been sent out, while in Sierra Leone "two of these (schoolmasters), both Germans, received Lutheran orders at the hands of three of their brethren."'—Stock's *History of the Church Missionary Society*, vol. i. pp. 23, 163.

P A P E R V

ARCHBISHOP LEIGHTON'S 'ACCOMMODATION'

By the Rev. ROBERT W. WEIR, D.D.

WHEN Charles II. landed in England on 29th May 1660, the government of the Church of Scotland had been for twenty-two years Presbyterian, but its Supreme Court had not been allowed to meet since 1651. There was then no Episcopal Church in Scotland, and there had been none since 1638.¹ On 3rd September 1660 the Presbytery of Edinburgh received a letter from the King intimating his intention to protect and preserve the government of the Church in Scotland as it was settled by law, that it would be his care to preserve the authority of the Acts of the General Assembly of 1651 till another General Assembly was called, which he proposed to do as soon as his affairs would permit,² and that it was his intention to send for some of the Ministers to speak with them on the subject. The Act of the Scottish Parliament of 1661, which declared all the Scottish Parliaments since 1638 to have been pretended Parliaments, and their Acts to have been null and void, rendered invalid the Act which settled the government of the Church as Presbyterian; but another Act passed at the same time declared that as regards the government of the Church 'his Majesty will make it his care to settle and to secure the same in such a frame as shall be most agreeable to the Word of God, most suitable to monarchical government, and most complying with the peace and quiet of the kingdom,' and that in the meantime the Synods, Presbyteries and Kirk Sessions should continue to exercise authority. On the 5th of

¹ After 1638, of the fourteen Bishops all except four left Scotland. Of the four three conformed to the Presbyterian government of the Church and acted as Parish Ministers. The fourth, Bishop Guthrie, did not conform. He was for a time in prison, and afterwards resided in his own house. Grub, iii. p. 57; also Keith's *Catalogue of Scottish Bishops*.

² Wodrow, i. 81. For observation on the King's conduct in this matter, see Grub, iii. p. 185; Cook, iii. p. 253.

September 1661 the King, notwithstanding his letter to the Presbytery of Edinburgh, intimated to the Privy Council of Scotland his intention to restore Episcopacy, and on the 5th of the following December four Scottish Presbyters were consecrated to the Episcopate at Westminster Abbey. On this occasion the precedent of 1610, recognising the validity of Presbyterian ordination, was not followed, and the two Presbyters who had received Presbyterian ordination were reordained, but in the case of the Bishops afterwards consecrated in Scotland this course was not adopted.¹ On the 21st December the King sent a letter to the Scottish Privy Council enjoining them to prohibit meetings of Synods, Presbyteries and Kirk Sessions till these were authorised by the Archbishops and Bishops.

The Parliament of 1662 not only restored Episcopal government in the Church of Scotland, but rescinded all Acts of Parliament or Council which 'may be interpreted to have given any power or jurisdiction to office-bearers of the Church other than that which acknowledgeth dependence on and subordination to the sovereign power of the King as supreme.' No attempt was made as in 1610 to obtain the approval of General Assembly to the change of government,² and the Synods and Presbyteries were made dependent on the Bishops as they had not been in the first Episcopacy. All this added to the offence given by a quite needless Act passed by the Parliament of 1662 which required ministers who had been inducted into parishes, after the passing of the rescinded Act of 1649 abolishing patronage, to obtain presentations from the lawful patrons and receive collation from the Bishops of their respective dioceses. The enforcing of this Act and other proceedings of the Government caused the loss by deprivation or resignation of 350 or more ministers, many of whom were held in high esteem by the people.³ Some churches were then

¹ Burnet's *History of His Own Time*, p. 94. Three at least of the Bishops consecrated in Scotland in 1661 must have received Presbyterian ordination—Bishop Haliburton, Bishop Patrick Forbes, and Bishop Robert Wallace.

² This course was advocated by Lauderdale and others. Mackenzie, p. 52.

³ A manuscript list in the Advocates' Library gives a list of 339 who were thus deprived. The numbers deprived in the different Synods are interesting, as it gives some explanation of the geographical distribution of the covenanting spirit in the years which followed. The list gives them as follows:—Synod of Lothian 52, Merse 32, Dumfries 38, Galloway 29, Glasgow and Ayr 93, Fife 35, Perth 14, Argyll 15, Angus 1, Mearns 6, Aberdeen 14, Moray 2, Ross 7, Orkney 2.

left without ministers, and in many cases the ministers appointed were very unacceptable to the parishioners. As a number of the ousted ministers continued to hold services which were well attended the Parliament of 1663 enacted that deprived ministers who should presume to exercise their ministry were to be treated as seditious persons, and that those who withdrew from the services in the Parish Churches were to be punished by severe fines. How this Act was enforced by the Privy Council and by a Court of High Commission which was appointed in 1664 may be understood when we recall that in 1665 Bishop Leighton went to London¹ and asked the King to accept his resignation of the Bishopric of Dunblane, on the ground that he felt in a manner accessory to the violence done with a pretence of establishing the order to which he belonged. He described what had been done as 'so violent that he could not concur in planting Christianity itself in such a manner, much less a form of government.' The King promised that milder measures would be taken, and induced the Bishop to withdraw his resignation, but there was no amendment till worse things happened. In 1666 Sir James Turner was sent with soldiers to the south of Scotland to put down nonconformity, and this he sought to do by measures more violent than even the recent law allowed.² An act of brutality by some of his soldiers led to an armed but quite unpremeditated revolt which began at Dalry on the 14th November 1666, and ended at Rullion Green on the 28th November.³ Though the insurgents committed no excesses and did not even ill-treat Sir James Turner, whom they took prisoner, very severe punishment was meted out to those captured. There were hangings, imprisonments, banishments, and proclamations forbidding any one to give shelter to the fugitives. All this embittered the feelings of the disaffected.

In 1667 the King, for reasons of his own,⁴ resolved on a policy of conciliation in England, and he extended the same the more willingly to Scotland because of the troubles that had arisen there from a policy of severity. He removed from power some who had taken severe measures, and gave authority to others who favoured the plan of pacifying the Presbyterians

¹ Burnet, p. 145.

² Hill Burton, vii. p. 169.

³ See Terry's *Battle of Rullion Green*, p. 6.

⁴ See Green's *History of the English People*, chap. ix. sec. .iii.

by concessions. In 1669 an indulgence was granted to outed ministers who would 'live quietly,' to preach in their former parishes, or if these had ministers in other vacant parishes—a boon taken advantage of by about forty of the Resolutioners.

The same year the Scottish Parliament passed an Act known as the 'Assertory Act,' which declared that 'His Majesty and his successors may settle, enact and emit such constitutions, acts, and orders concerning the administration of the external government of the Church and the persons employed in the same, and concerning all ecclesiastical meetings and matters to be proposed and determined therein as they in their royal wisdom shall think fit.' With the power thus conferred the Archbishop of Glasgow, in whose diocese most of the disturbances had taken place, was removed from office. Bishop Leighton was then induced, by the promise of liberty to carry out a scheme of accommodation which he had long desired to see tried, to undertake the charge of this diocese first as Commendator and afterwards as Archbishop. He and others desired to have the scheme at once passed into law, but this was successfully opposed by those who said that such concessions could only be justified by an assurance that they would accomplish the desired purposes. His first effort in behalf of his plan for union was to send six distinguished ministers to preach to the people in large parishes and explain the advantages of Episcopacy. The people who came to hear them were found well informed on the controversy, but little disposed to renounce Presbytery.

Before taking formal steps for a conference with the ministers Leighton circulated privately two letters. Most of those whom he desired to conciliate had taken the Covenants, and considered themselves bound by these, to contend against all forms of Episcopacy. The Bishop's contention was that the Covenants leagued men against the forms of Episcopacy prevalent in England, but not against all Episcopacy. 'The question,' he said, 'was not concerning Bishops governing absolutely by themselves and their delegates, but concerning Bishops governing in conjunction with Presbyters in Presbyteries and Synods.'¹ Six leading indulged ministers were afterwards summoned to meet with Leighton and some others at Holyrood.² The

¹ M'Ward's *Case of the Covenanters*.

² Wodrow, ii. p. 178.

Bishop spoke of the blessing which unity might bring, and explained his scheme. The ministers asked to be allowed to give an answer on the following day. Their answer then was that as this concerned not only indulged ministers but those not indulged, they must ask leave to consult with them. The request was granted. Wodrow asserts that the ministers could not get the proposal in writing, but that this was how they recorded the substance of the same for reference: 'Presbyteries being set up by law as they were established before the year 1638, and the Bishop passing from his negative voice, and we having liberty to protest and declare against any remainder of prelatie power retained or that may happen at any time to be exercised by him for a *salvo* for our consciences from homologation thereof. *Quaeritur*, Whether can we with safety to our consciences and principles join in these presbyteries? Or what else is it that we will desire or do for peace in the Church as an accommodation, Episcopacy being always preserved?' The ministers in the south and west who attended a meeting at which this question was fully discussed unanimously agreed that they could not accept what was proposed. On 14th December 1670 a second conference was held at Paisley when about twenty-six Presbyterian ministers, some of them indulged and some not indulged, met with Bishop Leighton, Gilbert Burnet, then Professor of Theology in Glasgow University, James Ramsay, Dean of Glasgow, the Provost of Glasgow, and Sir James Harper of Cambusnethan.¹ There was again a free discussion, and on this occasion the Bishops' proposals were put in writing. They were as follows:—

1. That if the dissenting brethren will come to Presbyteries and Synods they shall not only not be obliged to renounce their own private opinions anent Church government and swear or subscribe anything thereto, but shall have liberty at their entry to the said meetings to declare and enter it in what form they please.

2. That all Church affairs shall be managed in Presbyteries or Synods by the free vote of Presbyters or the major part of them.

3. If any difference fall out in the diocesan Synods betwixt

¹ Wodrow, ii. p. 180.

any of the members thereof, it shall be lawful to appeal to a provincial Synod or their committee.

4. That entrants being lawfully presented by the patron and duly tried by the Presbytery, there shall be a day agreed on by the Bishop and Presbytery for their meeting together for their solemn ordination and admission, at which there shall be one appointed to preach, and that it shall be at the parish church where he is to be admitted, except in the case of impossibility or extreme inconveniency, and if any difference fall in touching that affair it shall be referable to the provincial Synods or their committee as any other matter.

5. It is not to be doubted but my Lord Commissioner His Grace will make good what he offered anent the establishment of Presbyteries and Synods, and we trust His Grace will procure such security to these brethren for declaring their judgment that they may do it without any hazard in contravening any law, and that the Bishop shall humbly and earnestly recommend this to His Grace.

6. No entrant shall be engaged to any canonical oath or subscription to the Bishop, and that his opinion anent that government shall not prejudice him in this, but it shall be free for him to declare it.

The ministers present at the meeting considered that the propositions committed to writing changed the case, and asked for time to deliberate. They afterwards held a meeting with their brethren at Kilmarnock, when it was agreed that these propositions were more unsatisfactory than the former proposals.

The third joint conference was held in Edinburgh on the 11th November 1671, at the house of the Earl of Rothes.¹ A further conference was held a few days afterwards, and there were private meetings with the Bishop. No agreement was arrived at.

'The treaty was broken off,' says Burnet, 'to the amazement of all sober and dispassionate people, and to the great joy of Sharpe and the rest of the Bishops.' Leighton had had interviews with the King and had his sanction for the proposals, but whether, if the ministers had accepted it, His Majesty would have kept his promise in face of the opposition it would have raised among the assertors of the rights of Bishops

¹ Wodrow, ii. p. 181 ; and Burnet, *History of His Own Time*, p. 198.

in England and in Scotland it is needless to consider. That Lauderdale, the Lord High Commissioner in Scotland, had no desire for the accommodation is shown by his having procured, while the negotiations were going on, an Act increasing the penalties against those who attended conventicles, and making the offence of preaching at such punishable by death.

Happily we know something of the arguments used at this conference. Those of Leighton and his friends are summarised in a paper by Leighton preserved in the Signet Library.¹

1. That there is no command in Scripture for the changing of Moderators in meetings of Presbyteries, nor no precept nor rule of Scripture contrary to the office of a Bishop as a fixed President in Synods.

2. That the fixed presidency of Bishops in Synods hath as much warrant as the fixed moderating of a Presbyter in kirk sessions of ruling elders, who, by those that assert such elders to be of divine right, as our opponents do, cannot but be accounted equal as to the point of ruling.

3. That there is no particular command in Scripture for an absolute parity of Presbyters; if there be, let it be produced, and it will end the controversy.

4. That that parity cannot be reasonably concluded from our Saviour's command, 'It shall not be so with you,' etc., Matt. xx. 26, or from any other of His holy injunctions (given either to all His followers or particularly to His apostles or ministers) of moderation, humility and meekness, for that would destroy all Church government and all superiority of pastors over elders and deacons and over their people. If all imparity and rule in ecclesiastical persons were inconsistent with these great laws of our holy profession, then the Apostles themselves would have been the first and most signal transgressors of these laws; and to say they were extraordinary persons would upon that supposition say nothing but that they were extraordinary transgressors.

5. If the thing be lawful the appropriating to the Superior Presbyter or President the name of Bishop cannot make it unlawful, though these two names be indifferently used in Scripture; for they are so used in some primitive writers at some times, who

¹ Butler's *Life of Leighton*, p. 446.

in other passages do clearly own the different degree of Bishops over Presbyters and were themselves of that degree. So to reason from that topic seems to be too weak to be worthy of any serious person's insisting upon it.

6. And it is yet more strange to be offended at the solemn way of blessing or consecrating Bishops to that presidency with the imposition of hands, as if a grave and solemn admission to a high and holy employment were apt to unhallow it, and being in appearance so proper an instrument of making it the better should yet effectually make it the worse.

7. Nor is it easy to be understood how any person can judge the office of such a Bishop to be unlawful because there is in Scripture no express command for it under that very name, who yet finds a way to persuade himself without any command, or so much as the names of most to be found in Scripture, that Kirk Sessions, Presbyteries, Synods, National Assemblies, and Commissions of the kirk are in their several subordinations not only lawful but a divine institution, and the kingdom of Christ upon earth, whereas to an impartial inquirer there will be undoubtedly found in the Scriptures more vestige of such an Episcopacy as we speak of than of that chain of judicatories or anything like them.

8. As to the degree of power of Bishops beyond other Presbyters that is certainly not to be so fitly measured by any rule as by the received practice of the primitive Church and the canons of the most ancient councils, and thence it will most undoubtedly be found that they had not only some such particular power but *exortem et eminentem potestatem* as Jerome speaks. But as for that, if the spirit of our meek and lowly master did more possess the minds of both Bishops and Presbyters there would certainly be no dispute, but the sweet consent of striving who would yield most and give most honour the one to the other.

9. As for the opinion of the late reformers in France and Germany and elsewhere, and of the present reformed churches abroad, even those that have no Bishops, and of the Presbyterian brethren in England, how great the moderation of all these is concerning the Episcopacy now in question is sufficiently known to all that know anything of these matters, and makes it much the more wonderful that these we have to deal with should affect

so exorbitant an height of zeal and fervour in this point, so far beyond what can be found in any of these we have named, or any other society or party of men in the whole Christian world either of our own or former times ; nor can any reason be given of this, unless that word of the Roman philosopher—*Superstitio est error insanus*.

10. As for the engagement they still apprehend from the Covenant, it hath been sufficiently cleared on other occasions, that the article of it touching Prelacy, as it is expressly specified in the words of it, doth not at all concern the Episcopacy with us in question, especially as it is qualified by the concessions lately offered to our divided brethren for their satisfaction.

The Rev. Robert M'Ward in 'The Case of the Accommodation Examined,' gives the conclusions arrived at by the opponents of the scheme under the following heads :—

1. That a conjunction in the present Church meetings is a certain acknowledgment of and participation with the present ecclesiastical government, which in effect is not truly such, but a mere politic constitution wholly dependent upon and resolving in the Supremacy, wherein no faithful minister can take part.

2. That this conjunction doth evidently infer a consent and submission to the Supremacy, and arrant usurpation on the Kingdom and Church of Christ.

3. Such is the present elevation of this all-swaying prerogative, not intended to be suppressed, that all other concessions, though in themselves satisfying, would thereby be deprived of any consistent assurance, and rendered wholly illusory.

4. As the meetings are founded upon and absolutely subjected unto the Supremacy, so they are authorised and ordered by the Archbishops and Bishops, and consequently do in such manner derive their authority from them.

5. The meetings, whereunto we are invited, do consist of such members for their perjurious intrusion and canonical servitude (to say nothing of their more extrinsic delinquencies of profanity, insufficiency and irreligion) as may not only warrant a non-conjunction, but a positive separation.

6. Even in the most moderate acceptation the Bishop, as offered to be reduced, is repugnant both to Scripture, purer antiquity, and our solemn oaths and engagements, inconsistent with the

principles of Presbytery, and in effect very little lowered from any of these powers and heights which he acclaims, inasmuch as he is still the King's nomination and not subject to either the censure or control of the meetings over which he doth preside.

7. The accommodation utterly disowns and cuts off the ruling elder.

8. The terms being abjured by the National and the Solemn League and Covenant, to close and comply therewith were to desert the Lord's cause, 'by casting away the word of His patience in this hour of temptation, and to give ourselves to that detestable indifference and neutrality which we have by oath so entirely renounced.'

9. The embracing of this coalition but real suppression of Presbyterian government, would not only be a total surrender of that interest to the will of the adversaries, but engage us into snares, contests, offences and temptations that can be better foreseen than they can be numbered let be prevented.

MacWard was a 'Protester,' and probably his version of the arguments against the accommodation present them in their extreme form. There must have been moderate Presbyterians who earnestly desired union, and thought out schemes as to how this could best be accomplished. The only trace of a practical outcome of such a desire is found in a copy of a scheme preserved by Wodrow as having been made at this time. He says that he is unable to say who was the author, nor whether the proposals would have satisfied so far as the Brethren are concerned.¹ They are Leighton's proposals changed in the direction of limiting the power of the Bishops and giving power to the Courts of the Church.

1. That Episcopacy being reduced to a fixed presidency in Presbyteries, Synods and General Assemblies, all Church matters be managed, decided and determined by the plurality of the votes of Presbyters convened at the said respective meetings, and that Bishops act nothing neither in ordination nor jurisdiction but by moderating in the said meetings without a negative.

2. That it shall not be in the Bishops' power to refuse to concur in the ordination of any persons lawfully presented by the patrons and duly tried and approved by the Presbytery,

¹ Wodrow, ii. p. 181 note.

and that the ordination be publicly done by the concurrence of the Bishop and Presbytery at the Parish Kirk, and in case the Bishop by some intervening invincible impediment cannot keep the day and hour agreed upon that a new day be appointed, and that as soon as possible can be thereafter for the said ordination, and in case the Bishop shall refuse or delay to concur in the ordination the Lords of His Majesty's Privy Council shall upon complaint of the Patron, Parish, or Presbytery direct letters of horning charging him for that effect.

3. That as General Assemblies, Synods and Presbyteries are razed and quite taken away by Act of Parliament for the restitution of Bishops 1662 and the Act for a National Synod, so they be also revived again by Act of Parliament, the indiction of a General Assembly being reserved to the King and the moderating in the Synods to the Bishops, as also in Presbyteries when they are present, and in their absence by other moderators chosen by the Synod.

4. That outed ministers not yet indulged shall enter into charges as freely as they who are indulged.

5. Because many godly ministers cannot be satisfied in their consciences silently to concur with a Bishop or a fixed President in the exercise of government, that it shall be leison to them at their entering into the said Presbyteries, Synods, and General Assemblies, and as often thereafter as they shall think fit, to protest.

6. That entrants to the ministry have the same liberty and be free of the oath of canonical obedience.

7. That the oath of allegiance be cleared, and the King's power and supremacy in ecclesiastical matters to be only *potestas civilis*.

8. And, lastly, because the intervals between the General Assemblies may be long to the effect Bishops may be censurable for their lives and doctrine, that there be a meeting yearly of the whole Bishops with three or more ministers to be chosen by the free votes of the several Synods, who shall have power to depose, suspend and otherwise censure the Bishops, but have no power to meddle in any other ecclesiastical matter.

In connection with this narrative the following points may be noted :—

1. Archbishop Leighton appears to have had no belief in the doctrine of Spiritual Independence, nor even any appreciation of the effect of such a belief upon others.

2. Archbishop Leighton claimed no Divine right for Episcopacy. The claim for this right was on the other side.

3. There was no question raised about doctrine or worship. Both parties more or less approved of the Westminster Confession of Faith. Both conducted worship without a Liturgy, and any difference in their order of service was slight.

4. No question was raised as to whether or not Presbyterian ordination was valid. That apparently was considered as beyond doubt.

5. The Bishop's scheme avoided all reference to a National Synod or General Assembly, and its possible relation to the Bishops. In 1674 Leighton counselled Lauderdale to consent to the wish for a General Assembly, giving as one reason that 'the genius of the Church particularly lies towards Synods and Assemblies since the Reformation,' but he states that he does this from charity and not because he himself admired that way of settling Church disputes.¹

6. Any chance of success which the accommodation had was greatly lessened by a suspicion regarding the straightforwardness of the King's policy, by the bitterness caused by the harsh treatment of outed ministers, and the prisoners taken at Rullion Green, and by the assertion of the King's arbitrary power over the government and doctrine of the Church.

7. Burnet relates that after the consecration of the four Bishops in London, Leighton urged Sharpe to propose a scheme of conciliation on the line of Archbishop Ussher's plan. Had that plan been taken, and had the Act requiring new presentation for those ordained after 1639 not been passed, the history of the Church of Scotland in the reigns of Charles II. and James VII. might have been very different from what it was.

¹ Butler's *Life of Leighton*, p. 473.

P A P E R VI

THE REVOLUTION SETTLEMENT

By the Rev. ROBERT W. WEIR, D.D.

WHEN the Prince of Orange landed in England on the 5th November 1688, Christian Unity in Scotland had been destroyed. Besides the Bishops and Clergy of the Church of Scotland there were indulged ministers in charge of parishes, ousted ministers who had refused to avail themselves of the Acts of Indulgence, many of whom ministered to congregations, ministers who had resigned in 1681 because of the Test Act, and Cameronians who had anticipated what became the verdict of the nation by renouncing allegiance to James VII. The differences in ritual between Episcopalians and Presbyterians were then very slight. In the Church of Scotland there was at that time no Prayer Book, no surplice, no instrumental music, no confirmation, no frequent celebration of the Holy Communion, and little or no observance of the Christian year.¹ What had broken the Unity of the Church had been differences of opinion in regard to the claims of Episcopacy and Presbyterianism, and the extent of the Royal Supremacy in the Church. These had been intensified by bitter feelings and fanatical views fostered by persecutions and recriminations which had gone on with varying degrees of severity for more than a quarter of a century. In 1689 Lord Tarbet thus described the situation: 'Episcopacy appears unsufferable to a great party and Presbytery as odious to others.'² Matters connected with this ecclesiastical situation had caused much of the dissatisfaction with the rule of Charles II. and

¹ *Oldmixon: Memoirs of North Britain*, London, 1715, p. 82. 'Memorandum to the Prince of Orange,' by two Persons of Quality. Lord Rothes quoted in Bishop Dowden's *Account of the Scottish Communion Office*, pp. 48-49. *Old Scottish Communion Plate*, by Thomas Burns, D.D., pp. 84, *et seq.*

² *Leven and Melville Papers*, p. 125.

James VII., and when William of Orange brought with him to England, as friends and councillors, Scotchmen who had been exiled for resistance to the policy of the Stuart kings in Church matters, a consideration of the condition of the Church of Scotland became inevitable.

Representatives of both parties presented their case to the new administration. The arguments used are known from statements which have been preserved. When it became known in Scotland that the Prince of Orange was about to land, the Scottish Bishops sent Bishop Rose to London to look after the interests of their Church. In a letter which is printed in Bishop Keith's *Register*, Bishop Rose relates how he consulted Bishops and Courtiers in London, and was able to get no promise of support for Episcopacy, because he could give no assurance that the Scottish Bishops would support the Prince of Orange.¹ He records that the Bishop of London told him that the Prince would support the Bishops in Scotland if they, like the Bishops in England, would favour his cause. He adds, 'Whether or not what the Bishop delivered as from the Prince was so or not, I cannot certainly say, but I think his lordship's word was good enough for that; or whether the Prince would have stood by his promise of casting off the Presbyterians, and protecting us in the case we had come into his interest, I will not determine, though this seems the most probable unto me, and that for these reasons. He had the Presbyterians sure on his side, both from inclination and interest, many of them having come over with him, and the rest of them having approved so warmly that with no good grace imaginable could they return to King James' interest; next by gaining us he might presume to gain the Episcopal nobility and gentry, which he saw was a great party, and consequently King James would be deprived of his principal support; then he saw what a hardship it would be upon the Church of England, and of what bad consequence, to see Episcopacy ruined in Scotland, who, no doubt, would have vigorously interfered for us if we by our carriage could have been brought to justify their measures.'

A memorandum drawn up by Principal Carstairs, after his first interview with the Prince on Scottish Church Affairs, and

¹ Bishop Keith's *Register*, p. 65.

headed 'Hints for the King,' gives the arguments on the other side. They were as follows:—

1. That the Episcopal party in Scotland was generally disaffected to the Revolution and enemies to the principles on which it was conducted, while the Presbyterians were almost for a man declared for it, and were, moreover, the great body of the people. None, therefore, could think it strange that the friends of a government should enjoy all the encouragement it can afford whilst it withheld its countenance from open enemies.

2. That the Episcopal clergy in Scotland, especially the prelates, had been so accustomed to warp their religious tenets with the political doctrines of royal supremacy, passive obedience, and non-resistance, it became inconsistent with the very end of his coming to continue Episcopacy on its present footing in Scotland.

3. That as it was impossible for his Majesty to show that favour to the Nonconformists in England who were a numerous body, and at the same time zealously attached to Revolution Principles, which he was naturally disposed to do because such conduct would awaken the jealousy of the Church of England, here was an opportunity of effectually demonstrating to them that the discouragements they might labour under during his administration were not owing to any prejudice he entertained against them, but to the necessity of the times and the delicate situation in which he was placed.¹

Bishop Rose and Principal Carstairs were correct in supposing that William of Orange had no belief in the divine right of either form of Church government, and that his desire was to have the form of Church government most approved of by the people and best fitted to strengthen his government and the cause of Protestantism.² Both also judged rightly that the decision in regard to Church government in Scotland would have an affect in England,³ and the sagacious advisers of the Prince wished that this matter should be settled not by him but by the Scottish Parliament.

Lord Melville, when he went to act as Secretary for Scotland, was instructed by the Prince to ascertain which party had the majority, and if he found that the party in favour of Presbytery

¹ *Carstairs' State Papers*, p. 39.

² *Burnet*, p. 538.

³ *Leven and Melville Papers*, pp. 428-435.

was the stronger, to arrange that the change should be made in the way which would inflict the least hardship on the other party.¹

Events made it all but impossible for either the King or the Parliament to befriend Episcopacy. So soon as it became known that William had landed, well-organised bands of Cameronians drove from their manses and parishes most of the ministers in the west and south-west of Scotland.¹ As the troops had been sent to England to resist the forces of William, the authorities were powerless to protect the ministers.² Apparently the 'curates,' as they were called, had no friends willing to aid them, and their unpopularity was so great that when William assumed power and issued an order forbidding such lawless proceedings they did not venture to return. They were the survivors or successors of an inferior class of ministers, who succeeded the ministers outed in 1661,³ and they were suspected of acting as delators during the persecutions.⁴ Had Episcopacy been continued these men would have had to be reinstated, and that would have been an unpopular and dangerous task.⁵ What still further aided the cause of Presbyterianism was the determination of the Bishops to adhere to the cause of King James. In this they were unanimous, and if Episcopacy had been preserved it would have been necessary to have got new Bishops for all the sees, and to have obtained for some of those appointed consecration in England. The Bishops made no concealment of their decision, and after the letter written to James VII., when the fleet of William of Orange was put back by stress of weather, and their other relationships with that monarch, they could not well have taken any other course.⁶

When the Convention of the lords of the Clergy and nobility and of the commissioners of shires and burghs, elected by Protestant electors, on the invitation of William of Orange met on 14th March, the two Archbishops and seven Bishops were present ;⁷

¹ *Leven and Melville Papers*, p. 2.

² Hill Burton's *History*, vii. p. 320.

³ Wodrow, pp. 1-33; Burnet, p. 166.

⁴ *Ibid.* pp. 1-374. Also a letter from Claverhouse to the King James, quoted in Hay Fleming's *Story of the Covenants*, p. 73.

⁵ *Leven and Melville Papers*.

⁶ Wodrow, iv. p. 438. Also discourse on *Scottish Church Unity*, by Bishop Wordsworth, p. 71.

⁷ Minutes of Convention.

and Bishop Rose, who gave the opening prayer, offered up a petition that God would restore King James to the throne.¹ When on 23rd March the sending of a letter from the Convention to the King of England was opposed by the Bishops, the Archbishop of Glasgow said that 'to resist their lawful sovereign was to resist God.'² On 4th April the Convention passed a resolution declaring that King James had forfeited his right to be King. Only nine or ten voted against it, and of these seven were Bishops. It is said that after this when a Bishop was asked to pray, a member reminded him that if he prayed for King James it would be at his peril, and that he then said the Lord's Prayer.³ The Bishops took no further part in the Convention. They made no attempt to rally the friends of Episcopacy, and Viscount Dundee in 1689 wrote: 'The Bishops I know not where they are—they are now the Kirk invisible.'⁴

The Convention on the 12th April adopted a declaration which contained an offer of the Crown of Scotland to King William and Queen Mary.⁵ The first part contains fifteen reasons why the Convention held that the King James had forfeited the right to govern. After that comes the claim of right which began: 'As our ancestors have usually done for the vindication and asserting of their ancient rights and liberties we declare . . .' Among the declarations which follow is this: 'That prelacy or the superiority of office in the Church above Presbyter is and hath been an intolerable grievance and hostile to this nation and contrary to the inclination of the generality of the people ever since the Reformation (they having been reformed by Presbyters), and therefore ought to be abolished.' The Convention made offer of the Crown on the understanding that their Majesties would preserve them from the violation of the rights which they asserted, and the abolition of Prelacy was thus deeply imbedded in the foundation on which the Revolution Settlement was erected. On the day after the declaration had been made, and necessarily before the news of the acceptance of the offer of the

¹ *Oldmixon: Memoirs of North Britain*, p. 27.

² *Ibid.* p. 48.

³ *Oldmixon*, p. 54. As in 1560 and in 1638, so in 1689, the Scottish Bishops apparently had little influence over the people, and were not men fitted to lead in difficult circumstances.

⁴ *Napier's Memoirs of Dundee*, iii. p. 601.

⁵ Acts of Scottish Parliament.

Crown had been received, the Convention ordered all ministers to pray at public worship for King William and Queen Mary and to read a proclamation declaring William and Mary King and Queen of Scotland, and forbidding all persons to acknowledge King James. It was enjoined that this should be done in Edinburgh on and after the following Sunday, the 14th; in the parishes south of the Tay on the 21st; and in those north of the Tay on the 28th, under pain of deprivation. On the 26th April Dr. John Strachan, Mr. Andrew Cant, and Mr. John MacQueen, ministers of Edinburgh, were brought before the Convention, and confessed that they had not obeyed the proclamation commanding the King and Queen to be prayed for as King William and Queen Mary, and had not freedom to give obedience thereto in time coming; they were at once deprived.¹

This was the beginning of a series of many deprivations carried out at the instance first of the Convention and afterwards of the Privy Council.² Latterly an aggrieved parishioner was required, and the want of such informers in parishes in the north saved some from being deprived who otherwise would have met that fate. These deprivations were made by the civil authorities. There was no reason in the nature of the case why indulged Presbyterians as well as Episcopalians should not have been affected by this measure, but all the recusants were Episcopalians, and this gave support to the allegation that the Episcopalians were enemies of the new government. On 21st July 1689 the Scottish Parliament, which was the Convention changed by royal command to a Parliament, passed an act abolishing Prelacy. It began with a preamble repeating the declaration of the claim of right regarding Prelacy, and it declared that their Majesties with the consent and advice of Parliament will settle the form of government most agreeable to the people.

Before this Act was passed the following petition addressed to the Duke of Hamilton, his Majesty's High Commissioner, and to the High Court of Parliament, was given in by the Earl of

¹ Minutes of Convention.

² It may be noted that the English Parliament showed much more consideration for the tender consciences of clergymen of the Church of England. They were required to take an oath of allegiance to William and Mary before August 1st, but those who did not comply with the injunction were allowed six months to reconsider the matter, and only at the end of this time, after continued refusal, deprivation took place.

Kintore in the name of the 'conform ministers' of the Synod of Aberdeen. 'The petition of Mr. James Gordon, minister at Banchory, and Mr. James Barclay, minister at Crowden, humbly sheweth that the petitioners having received a commission from the ministers within the Diocese of Aberdeen to repair to this place, and by a humble address to lay before your Grace and the honourable Estate of Parliament the deep sense which they have of the sad and dejected state of the National Church, and to supplicate that some effectual remedy may be applied. It is most humbly represented that the ministers of the aforesaid Diocese did give in these late times a free testimony against Popery, and have now generally concurred in rendering thanks to the Divine Majesty for granting so seasonable a stop to the designs of the anti-Christian party, and in praying for his present Majesty as the King William as the great instrument of this deliverance. So they are earnestly desirous of a union with all their Protestant brethren who differ only from them in methods of Church government, not doubting but that if both sides would mutually lay aside their unchristian heat and animosity they might be reconciled as to serve their Lord with one mind, and to tolerate one another in the things in which they may still differ. And seeing it hath been heretofore the practice of all Christian Churches to meet in National Synods for rectifying disorders, removing scandals, and healing any breaches as has at any time arisen therein. And that now a hearty agreement among Protestants and a joining against the common enemy seems to be more than ever needful when so great designs are forming against them, and when we have to do with so powerful and implacable governments. Therefore, if this may be acceptable and reasonable, your petitioners for themselves and in the name of their brethren for whom they are deputed do offer their humble supplications to your Grace as his Majesty's High Commissioner, and to the High Court of Parliament, that a free and full General Assembly which they have now for a long time wished to obtain when and where his Majesty, with the advice of the Estate of Parliament, shall think fit. And in order to the progress and guidance of the General Assembly towards so great and good a design they humbly move, if it may seem good, that previously some learned and moderate men of the different

persuasions in relation to Church government may be appointed to meet and to prepare overtures of an accommodation such as may tend to the unity and peace of the Church—to which the ministers of the foresaid Diocese will give their hearty concurrence, and they will show how sincerely they desire that the terms of communion among Protestants may not be straightened, and that nothing may be imposed which may be hurtful to the conscience of any of the ministers or bring any disagreeable reflection on their holy calling, and your petitioners have reason to hope that this humble offer being favourably considered and accepted may by the blessing of God, be a means of preserving the Protestant interest in this kingdom.’¹ The Duke of Hamilton was in favour of the petition being considered, but the majority of the members of Parliament were opposed to this, and nothing was done with it. Those who regret that a General Assembly such as was proposed was not called must remember that estrangements caused by past events would have made the mutual confidence required difficult, and also that the condition of Ecclesiastical affairs at that time in different districts of Scotland varied much, and that what might have seemed quite practicable in Aberdeen might have looked hopeless to those who knew the south of Scotland. If this General Assembly had been called, and elders had been included, which the Aberdeen ministers did not desire,² it would have been in accordance with the precedent of 1638, but the strict Presbyterians feared that if the request were granted there would be a large majority who might prevent or impede the establishment of ‘pure Presbytery.’ In the unsettled condition of the country possibly statesmen were also afraid to risk the meeting of a General Assembly at which there might have been many disaffected to the Government. The precedent of 1660, of making a change in the Church government without consulting the General Assembly, was therefore followed. King William desired that the constitution of the Church should be settled at this Parliament, but owing to opposition this was not effected.³ In *Carstairs’ State Papers* there is the draft of an overture presented to this Parliament by the King’s Commissioner,⁴

¹ Paper in the Library of the Scottish Episcopal College, Edinburgh.

² Hill Burton, vii. p. 428.

³ *Leven and Melville Papers*, pp. 91 and 136.

⁴ *Carstairs’ State Papers*, p. 794.

which was probably what the King desired. It declared that Presbytery after the form of that appointed by Parliament in 1592 was most agreeable to the people, and that therefore this was to be the government of the Church. It ordered that Presbyteries should admit ministers presented by lawful patrons. It ordered that all ministers should conform to this form of Church government and take the oath of allegiance, and it restored the ministers who were deprived or resigned in 1661 and 1681. It restricted the power of the Church to the preaching of the Word, the infliction of ecclesiastical censure and the administration of the Sacraments. It gave permission for General Assemblies only when called by the King, and it gave power to the King to send commissioners to Synods and Presbyteries to see that his commands were not disobeyed. In the following year there was legislation for the new state of Church affairs. On 25th April 1690 Parliament abolished the Asseratory Act which had given the King power to remove Bishops and other ministers without any trial, and on 26th May the Westminster Confession of Faith was ratified. On the 7th June the Act was passed which fixed the constitution of the Church of Scotland. It ratified the Confession of Faith and established the government of the Church as fixed in the Act of 1592, with the exception of patronage which was left for further consideration. Unlike the Draft Act prepared for the previous year which proposed to leave all ministers in the exercise of their functions who were willing to conform to the new government and take the oath of allegiance, it placed the government of the Church in the hands of the ministers who had been outed for want of conformity to Episcopacy, and those whom they might associate with them. It legalised the rabblings by declaring that the parishes which ministers had left were vacant, and it declared that the parishes of those who had been deprived by the Privy Council for not reading the proclamation and for not praying for King William and Queen Mary were also vacant. It appointed a meeting of Assembly, and enacted that the Assembly should appoint commissions to remove 'negligent, scandalous and erroneous' ministers. A memorandum by King William showed that the King objected to placing the power in the hands of the outed ministers, and wished to allow all ministers to take part in the

government of the Church who promised to submit to the Presbyteries form of Church government. It is said that the number of ministers in whom the government of the Church was then vested by the Act of Parliament was sixty.¹ They were nicknamed 'the sixty Bishops.'

There were those in Scotland who held that the ousted ministers were the only ministers in the kingdom who possessed right ecclesiastical mission, all others having been more or less tainted by conforming to the usurpation of the authority of the Church by the State.² It is unlikely that Parliament gave them the power of controlling the Church for this theoretical reason. They desired the Church to be in Presbyterian management, and by this method that was best secured. The logical proceeding and that which would have pleased the strict Covenanters would have been for Parliament to have swept away all Church legislation since the Restoration, and to have allowed the Church to be where it was before it was interfered with by the State.³ That, however, would have entailed entanglements with that ill-omened effort after Christian Unity known as the Solemn League and Covenant, and would not have agreed with the ecclesiastical settlement of England. Hill Burton says that the ecclesiastical settlement then made was 'an artificial compromise created by the tact and ingenuity of King William backed by a triumphant political party.' It might better be called a natural compromise. When Episcopacy was out of the question, and the Solemn League and Covenant had to be avoided, it was natural to fall back on the Act of 1592. Hill Burton (vii. 430) doubts if the Act was really 'agreeable' to the most of the Presbyterian people, but it is probable that King William and his advisers divined better than the people at the time did what was likely to give satisfaction. The Act was as Erastian as the Act establishing Episcopacy at the Restoration, or as the Acts reforming the Church at the Reformation, but both the old Scottish Confession and the Westminster Confession of Faith give considerable latitude of belief on the lawfulness of such interferences by the State.

The Settlement of the Constitution of the Church must have

¹ Burnet, p. 561.

² *Doctrine of Schism in the Church of Scotland*, by George W. Sprott, D.D., p. 30.

³ *Draft of Papers by Presbyterian Ministers*, iv. p. 481.

claimed much attention from the leading statesmen in Scotland, and probably various plans were discussed. One of these is to be found in the *Leven and Melville Papers* in a letter from Lord Tarbet, who had served under King James as well as under King William, in which he warns the Government against establishing a purely Presbyterian form of Church rule, and proposes a plan which he thought would satisfy both Episcopalians and Presbyterians. It is a scheme of what we would now call 'concurrent endowment.' He proposed that all ministers excluded from their parish for public differences should be restored to their parishes unless objected to by the heritors, in which case they were to be provided for in some other way. He further proposed that both Presbyterians and Episcopalians should meet in Presbyteries and Synods of their own, the Episcopalians having power to elect permanent moderators, and the Presbyterians to have power to change their moderators. The constant moderators were to be paid provided there were not more than one for each Diocese at the rate of £1000 Scots south of the Tay and £800 Scots north of the Tay. Both parties were to be allowed to hold General Assemblies, but only by permission of the King. Neither party was to interfere with the discipline exercised by the other. Both were to be enjoined not to preach against the model of the other, and to entertain towards one another Christian charity and communion. The plan is curious as showing what an Episcopalian layman thought would satisfy those of his communion, and how small after all, if his scheme could have been accomplished, would have been the difference between the two systems. The plan was at the time not within the sphere of practical politics.

It does not appear that the clause in the Act of Parliament which entrusted the care of the Church to the ministers ejected from their parishes in 1661 was strictly enforced. Shortly after the passing of the Act a meeting of ministers and elders who adhered to Presbytery was held, and arrangements were made for the election of members of a General Assembly.

The General Assembly met on the 16th day of October 1690 for the first time since 1652. The roll of members, when made up, contained the names of 116 ministers and 66 elders. There is not much known about the ministers, but many of them had

suffered privation and exile. The elders were men of good social standing—a few noblemen, a great many baronets and knights, and the remainder mostly all ‘lairds.’ The King sent a letter in which he said, ‘Moderation is what your religion enjoins, what neighbouring churches expect from you, and what I recommend.’ In their reply the Assembly said, ‘If after the violence for conscience’ sake that we have suffered and so much detested, and those grievous abuses of authority in the late reign whereby through some men’s irregular passions we have so sadly suffered, we ourselves should lapse into the same errors we shall certainly prove most unjust towards God, the most foolish towards ourselves, and ungrateful towards your Majesty of all men on earth.’¹ This Assembly did nothing which gave just cause for a charge of insincerity in this protestation.² How far the two commissions appointed by this Assembly to visit the parishes carried out their work with that moderation which they were strictly enjoined to exercise is a subject about which reports differ. It is certain that, when their work was over, the Church of Scotland was depleted of ministers as it never was before or since except in the days of the Reformation. Neither the loss of ministers in 1661 nor in 1843 came near to what was then experienced. In the library of the General Assembly of the Church of Scotland there is a MS. book containing lists of ministers of the Church at this period, apparently compiled from official sources by some one living at the close of the seventeenth century. In this there is ‘Ane account of the Kirk of Scotland when Episcopal at the late Revolution in the years 1688 and 1689,’ which gives the names of the ministers and notes regarding those who were removed from their parishes or voluntarily left. According to this list there were 920 parishes of which 113 were vacant. Of the 807 ministers who held livings it is recorded that 215 were deprived by the Privy Council for not praying for the King and Queen, that 30 were also removed to make way for ministers who had been dispossessed in 1661, that 76 were rabbled by the people, that 62 demitted, that 52 were deposed by the Church, and that

¹ Minutes of General Assembly, 1690.

² *The Historical Relation of the late General Assembly* (Edinburgh, 1691), by Dr. John Cockburn, the deprived Minister of Ormiston and afterwards Rector of Northew, must be read as the work of a writer smarting under a sense of defeat and of some injustice.

372 remained in their parishes. The rabblings took place in the Synods of Dumfries, Galloway, Glasgow and Ayr, and to a small extent in Lothian and Tweeddale. In Merse and Teviotdale, in Fife, in Angus and Mearns, in Perth and Stirling, in Glenelg, in Moray, in Ross, in Sutherland, in Caithness, in Orkney and Shetland there were no rabblings. In Argyll there were two. There were depositions in every Synod except Orkney and Shetland, but in some very few; 15 of the 52 depositions took place in Lothian and Tweeddale, and 9 in Fife. The usual charges appear to have been drunkenness, or the quite relevant one of refusal to recognise the authority of the Church. In the 86 parishes of Dumfries and Galloway only three ministers remained. In the 126 parishes of Glasgow and Ayr only six, and in the 73 of Fife only ten. In the north a large number remained, in some cases no doubt because they had powerful protectors. In the 105 parishes in Aberdeen 95 remained, and in the 80 of Angus and Mearns 66. A certain number of those who remained were deposed in 1715 for participation in the rebellion. The King desired to see the vacant parishes filled, and to restore peace by the admission of as many deprived ministers as were willing to conform and take the oath of allegiance. When the Assembly met in 1692 it was urged both in the King's letter and in the speech of his Commissioner that it should be made as easy as possible for ministers who had conformed to Episcopacy to act as ministers of the Church. The King suggested that all should be allowed to come in who would sign this formula: 'I do solemnly declare and promise that I will submit to the Presbyterian Government of the Church as it is now established in this kingdom under their Majesties King William and Queen Mary in Presbyteries, Synods, and General Assemblies, and that I will as becomes a minister of the Gospel heartily concur with the said Government for the suppression of sin and wickedness, the promotion of piety, and the purging of the Church of all erroneous and scandalous ministers.' Before this Assembly met a petition from Episcopal clergy was lodged, addressed to his Grace, their Majesties' Commissioner, and the General Assembly met in Edinburgh. It was as follows:—

'Humbly sheweth that since Episcopacy is abolished and Presbyterian Government established by Act of Parliament as

it was established in 1592, and we being desirous to exercise the Holy Function wherewith we are invested in our several stations for the glory of God, the advancement of religion, their Majesties' service, and the peace of the nation. We therefore humbly desire that all steps and impediments may be taken off so that we may be permitted to act as Presbyters in Presbyteries, Synods and General Assemblies in the Government of the Church as by law established.'¹ Dr. Grub relates that this was the result of meetings held in Aberdeen, and that the King had suggested its being done.² The General Assembly was not cordial about the King's suggestion or the petition of the ministers. After it had remained in session for a month and done nothing in this matter, the King's Commissioner suddenly dissolved the meeting. The Moderator saved the dignity of the Assembly by also dissolving the court and fixing a day for its next meeting,³ but the Assembly did not venture to meet on the day named. The King and the Assembly were both indignant at what had happened. The difficulty of the situation was solved by an 'Act for the quiet and peace of the Church,' passed in 1693, in which the King was asked to fix a date for the calling of an Assembly. The refusal of the Assembly to pass a formula such as the King suggested had far-reaching consequences. Had the Assembly of 1692 done what the King suggested, the Church might have retained the power of adjusting the terms of the formula, and the recent Act of Parliament on this subject would not have been required. In the Act for the quiet and peace of the Church there was imposed for ministers a formula more stringent than the one which King William proposed that the General Assembly of 1692 should enact. It was so made to please Presbyterians who were afraid that if ministers were admitted who favoured Episcopacy these would use their power in the Church courts to change what had been set up. This accounts for the wording of the formula as regards non-participation in any such effort.

The words of the Act are : ' And do further statute and ordain that no person be admitted or continued hereafter to be a

¹ *Episcopal Innocence*, by William Lauk, London, 1694, p. 2.

² Grub, iii. p. 330.

³ *Acts of Assembly of 1692*, edited by Principal Lee.

minister within this Church unless that having first taken and subscribed an oath of allegiance and subscribed the oath of assurance in manner appointed by another act of this present session of Parliament, declaring the same to be the Confession of Faith, and that he owns the doctrine therein contained to be the true doctrine which he will constantly adhere to. As likewise that he owns and acknowledges Presbyterian Church government as settled by the foresaid Fifth Act of the second session of this Parliament to be the only government of this Church, and that he will submit thereto and concur therewith, and never endeavour indirectly or directly the prejudice of subversion thereof.' The Act required all ministers who were willing to take the obligations to be received unless found to be 'scandalous, erroneous or insufficient,' but that if any in the possession of benefices failed to apply within thirty days that they were to be liable to deposition. The General Assembly in 1694 accepted the formula, and appointed a commission to receive applications for admission. Many who had been formerly willing to apply, it is said, drew back, and failed to make the application required.¹ The General Assembly appears to have been lenient in taking proceedings against those who had not made the application. It recommended Presbyteries 'to proceed in processes against ministers with all due circumspection and prudence, and not to censure any minister for not having qualified himself in terms of the Act of Parliament entitled an act for settling the 'Quiet and Peace of the Church.'² It is to be observed that in the formula there is nothing to prevent a minister who did not believe in the necessity of Episcopacy serving a cure.

Not unnaturally there was recriminations between the two parties in regard to the authority of the General Assembly. An example of this occurred at Aberdeen, when on the 29th June 1594 a protestation and appeal was lodged with a commission of the General Assembly which came to visit the north. It was given in by James Gordon and others, ministers delegate for that purpose, for themselves, and all other adherents. It was as follows: 'We, the ministers of the Dioceses of Aberdeen, Murray, Ross, Caithness, Orkney, and of the shires of Angus and Mearns, do hereby declare that we cannot own the Assemblies of our

¹ Burnet, p. 598.

² *Acts of Assembly.*

Presbyterian Brethren to have been the full and lawful representatives of our National Church for these reasons: 1. As according to Presbyterian government all Presbyteries are equal, why should sixty rule over all? 2. As power of discipline and government belong to all Presbyters, how can that be right which excludes the greatest part? 3. General Assemblies should be representative, and where are the representatives of the Episcopal party? 4. The present condition implies that the ministers excluded are either not ministers, or corrupt in life and doctrine. 5. Can elders be proved to be scriptural, and if not how can a General Assembly composed partly of these be constitutional? The General Assembly's Commission replied that they had been appointed by a lawful Assembly, and could not discuss these questions.¹ The James Gordon, minister of Banchory, whose name appears in connection with this protest and the petition to Parliament in 1689, wrote in 1680 *The Reformed Bishop*, a book which gave great offence to the Bishops. He continued to serve as minister of Banchory till his death in 1714.

After 1694 King William seems to have regarded the return of the great body of Episcopal ministers as hopeless, and an Act was passed in 1695 allowing Episcopal ministers to remain in the charge of parishes without signing the formula, on condition that they took no part in the government of the Church. In the MS. book in the General Assembly Library already referred to, there is 'Ane account of the ministers of the Church of Scotland from the year 1694 and downwards.' A similar MS. list in the Advocates' Library is dated 1701. In this list the Episcopal ministers are marked. It gives the names of 814 ministers, and of these 235 are marked as 'Episcopal.' Till well on in the first quarter of the eighteenth century 'Episcopal ministers' held livings in different parts of Scotland, chiefly in the north. In what sense they were Episcopal, except in refusing to own the Presbyterian Church government, is not clear. It does not appear that they owned allegiance to the deprived Bishops. The General Assemblies of 1694, 1697 and 1698 instructed Presbyteries to be 'very delicate in their proceedings with any of the late conformed ministers in order to their reception into the government on terms of the acknowledgment settled by the

¹ *Miscellany of the Spalding Club*, ii. p. 163.

Assembly 1694.’¹ In 1712 the General Assembly in a letter to Queen Ann represented ‘as a pregnant instance of moderation that there had been taken in and continued hundreds of dissenting ministers upon the easiest terms.’² Dr. Carlyle in his autobiography relates an instance of this as late as the year 1744. He describes the ministers of the Presbytery of Haddington whom he visited, as the custom then was, before he was admitted to trials as a probationer. ‘The next I went to was old Lundie of Saltoun, a pious and primitive old man, very respectful in his manner, and very kind. He had been bred an old Scotch Episcopalian, and was averse to the Confession of Faith ; the Presbytery showed lenity towards him, so he did not sign it to his dying day, for which reason he could never be a member of Assembly.’³ It has been held by certain Presbyterian writers that the retention of the Episcopal ministers did much injury to the Church, an opinion which the writer does not maintain. The Revolution Settlement of Church affairs in Scotland brought to that country more peace and outward unity than it had enjoyed for many years. It gave to the Church a power to manage its own affairs greater than perhaps any other national church has enjoyed, and if the provision it made for the exercise of patronage had not been altered in the reign of Queen Ann, it is probable that the divisions among Scottish Presbyterians would never have taken place. It did not maintain unity such as there was when Episcopacy was introduced in 1610, or when Presbytery was restored in 1638. At both of these epochs very few refused to submit to the new order, and no attempt was made to form a Nonconforming Church.⁴

For this difference various reasons might be assigned. There was the political complication to which there was no parallel on the occasion of the previous changes. Then there was the example of the Covenanters who met in the moors and in meeting-houses ; there was perhaps a lessened fear of division, and probably also a growth of High Church views on the claims of Episcopacy. Moreover, the determination of King William to enforce toleration made the formation of separate churches less difficult.

¹ *Acts of Assembly.*

² *Ibid.*

³ *Dr. Carlyle's Autobiography*, p. 93.

⁴ *Doctrine of Schism in the Church of Scotland*, by George W. Sprott, D.D., pp. 11-13.

Those who cherished opinions which made it impossible for them to conform to what King William had hoped might satisfy all, formed two churches distinct from the National Church. One was the Scottish Episcopal Church, which at the outset and for long afterwards was almost exclusively Jacobite. It retained the Episcopal succession of the second Episcopacy, and became in doctrine and ritual very different from what the Church of Scotland was under Episcopal rule.¹ The other was the Cameronian Church, composed of those who adhered to the Covenants and desired a covenanted King. As this ideal was not within the sphere of practical politics, this Church escaped the persecutions which befell the Episcopalians who prayed and plotted for the return of a Stuart King. For the same reason this Church has now almost disappeared. It is difficult to understand what became of the deprived ministers who did not conform. Some went to England, and some to the colonies; some lived on in poverty in Scotland helped by friends in both communions. The story of how Carstairs supported two of their number has been often told. It was only a few who ministered to the small number of people who did not conform to Presbytery. How far these ministers were Jacobites, and how far they were upholders of Episcopacy, cannot well be determined. Dr. Somerville relates that his grandfather, who had been minister of Cavers, and had been deprived or resigned at the Revolution, lived at Hawick 'where he performed clerical duty in his own lodgings, being attended by such as adhered to Episcopacy and the interest of King James, among whom were a few gentlemen of the most ancient families in the country.' He had been informed by his father that his 'grandfather had no objection for the Presbyterian form of Church government, but having taken the oath of allegiance to King James he could not conscientiously transfer his allegiance to King William.'² No doubt there were others, especially in the north, who held stronger views in regard to Episcopacy. The *Fasti* show that in many cases sons of these deprived ministers became ministers in the Church of Scotland. The Church of Scotland necessarily suffered from having to fill suddenly so many vacant churches. Dr. Somerville remarks

¹ Grub, iii. p. 309.

² *My Own Life and Times*, by John Somerville, D.D., p. 5.

that many who then became ministers were imperfectly educated, and were recommended chiefly by 'fanatical zeal for the Presbyterian Establishment in opposition to Episcopacy, the supreme object of popular dread and hatred.'¹ He says, 'The pernicious effect of the intrusion of persons of this description was palpable for the first twenty years of the last century, after that the Church was again supplied with ministers who had enjoyed the advantages of a regular and learned education.'² The history of the Revolution Settlement of Ecclesiastical affairs in Scotland explains the divided heritage which the Scottish churches have received from former generations. Remembering the circumstances of the time, and the men who then had the direction of affairs in this country, it is difficult to see how it could have been other than what it was; and it may be questioned whether the corresponding settlement in England has done any better in securing more uniformity, or more unity of spirit, or less bitterness of spirit, or more hope of reasonable reunion in the near future. Its history illustrates the difficulty of bringing together parties separated not merely by differences of opinion, but by memories of acts of cruelty and words of scorn, and it is an example of the power which political events may exercise over Church affairs. It may strengthen a belief that as the unrighteousness of unfair acts and words towards those who differ from us is more and more understood, confidence and friendship among good people will increase, and the hope of Christian unity will grow stronger and stronger.

¹ This referred to the southern part of Scotland. In the north for a time, in some cases, the reverse was true.

² Dr. Somerville's *Memoirs*, p. 65.

PAPER VII

THE ATTEMPTS AT COMPREHENSION AND
UNION OF 1689

By the Rev. PROFESSOR MAC EWEN, D.D.

WILLIAM OF ORANGE was a resolute advocate of moderation. For his hostility to Romanism he had solid political reasons. As a statesman, and apart from religious considerations, he was eager to promote the unity of his Protestant subjects both in England and in Scotland, and to make the State Churches of both countries as comprehensive as possible. He succeeded in enforcing toleration, but failed, in the south as in the north, to make the State Church comprehensive. In Scotland he managed, by a persistent effort, to secure for Episcopalian clergymen who were willing to 'conform,' permission to retain their parishes. This paper will exhibit the brief story of his failure to gain entrance for Presbyterians, Independents and Baptists to the Church as established in England.

When he arrived in England in January 1688, he was formally welcomed by ninety Nonconformist ministers, who assured him that though 'they came as a distinct company,' they were not a distinct sect, and that they 'stood on the same ground' as the Bishop and clergy of London. William, in his gracious reply, intimated that he would 'use his utmost endeavour to settle and cement all different persuasions of Protestants in such a bond of love and community as would contribute to the lasting security and engagement of spirituals and temporals to all sincere professors of that holy religion.' It is noteworthy that the effort at union which followed had every possible support, short of compulsion, that regal influence could furnish.

In March 1689 he intimated to Parliament his desire that all Protestants should be admitted to Parliament, and the Oath

of Allegiance was modified so as to secure their admission. Although we have not to do at present with the English Acts of Toleration, it is important to remember that they took shape and were passed while the endeavour to secure Church unity was in process.

In the same month a Comprehension Bill 'for uniting their Majesties' Protestant subjects' was introduced into the House of Lords. It was a bold measure, requiring of ministers no more than that they should submit to the existing constitution of the Church of England. For admission to a living, reordination was not prescribed, but only imposition of the hands of a Bishop. The Bill was passed by the House of Lords. The Bishops were censured afterwards for having allowed it to pass, and there is no ground for thinking that they raised any opposition. In the House of Commons it was keenly debated and successfully opposed. Competent authorities differ in their explanation of this fact, which is remarkable seeing that the party complexion of the House was at the time 'Whiggish.' It has been said that objections were raised by those who were hostile to the Non-jurors, and also by religious men who urged that the measure was an Erastian one, not having been submitted to any religious court. Most interesting is the statement of Burnet, that the principal opponents were those who thought that toleration would be imperilled if the number of the Nonconformists were reduced—a curious forecast of the argument sometimes heard in our day, that a reunion of the churches would make the Church too strong. The Nonconformists themselves varied in their views of comprehension. It was favoured by such eminent Puritans as Philip Henry, Baxter and Howe, and by most Presbyterians; whereas a powerful party of Baptists and Independents, who set high value on their distinctive institutions, cherished suspicions of all proposals for amalgamation with State Churchmen. Probably there was a coalition, undesigned if not involuntary, between the adverse influences, but the fact remains that a not unreasonable measure for union to which the peers, including the Bishops, had assented was unacceptable to the more popular House. In the quaint phrase of Canon Perry, 'the Commons *saved* the Church.'

The Bill was, however, not definitely rejected. A Commission

was appointed to consider what could be done in the direction of conciliating Nonconformists, and so enlarging the borders of the Church. It consisted of ten Bishops and twenty other Churchmen, including several men of high distinction—Tillotson, Stillingfleet, Tenison, Beveridge, Aldrich and other well-known scholars. Eighteen meetings were held in October and November 1689, and the discussion shows how curiously in those days questions of ritual now regarded as unimportant were blended with divergences of principle.

The guiding spirit of the Commission, Tillotson, who at that time was Dean of St. Paul's, had expressed his ideas in a paper issued a month before the meetings began, and the proposals contained in his paper show what was in his view. The Liturgy, he urged, should be revised, with omissions and insertions; ceremonies enjoined or recommended in the Liturgy or Canons should be made optional; a new body of Canons should be prepared, dealing specially with the reformation of manners both in ministers and in people; the power of excommunication should be taken out of the hands of lay officers and entrusted to Bishops. Further, with regard to the crucial matter of Orders, it should be sufficient for clergymen to promise generally to accept the doctrine, discipline and worship of the Church of England; reordination should not be required of men ordained in the Continental Reformed Churches; as to Englishmen, preferment should in future be given only to those of them who were ordained by Bishops; yet men already ordained by Presbyters should not be compelled to renounce their ordination; for such persons it should be enough to receive imposition of hands in some such form as this: 'If thou art not already ordained, I ordain thee.'¹

Tillotson submitted to the Commission a programme based upon these ideas so drastic in its character that several members took alarm and withdrew from the meetings.² Yet the others, fully twenty in number, persevered. They began by resolving that the lessons from the Apocrypha should be omitted from the Prayer Book. After vague discussions of the Prayer Book version of the Psalms, which issued in a troublesome contention

¹ Birch's *Life of Tillotson*, pp. 182-184.

² The stage at which they withdrew is uncertain. The proceedings are detailed in a diary kept by Dr. Williams, which was published in a Parliamentary Return for 1854.

about the status of the Commission, they agreed that kneeling at Communion should be optional, that several Saints' days should be struck out of the calendar, that the sign of the Cross in baptism should not be imperative, that the Athanasian Creed should be used less frequently, a note explaining its damnatory clauses being added. Various alterations were to be made in the Liturgy with a view to satisfy the scruples of Nonconformists, such as the substitution of 'minister' for 'priest' and an abatement of the phrases which ascribe to ministers the power to 'absolve'; and forty-two new collects were composed, less archaic in language and more doctrinal than those in the Prayer Book.

The subject of ordination was debated at great length, and with ample recognition of its importance. The Bishop of Salisbury, who was foremost at this stage in advocating conciliation, contended that, while there was room for challenging the Orders of Romanists, the Church of England had recognised the Orders of Continental Reformed Churches in the case of Prebendary Du Moulin of Canterbury, and that Presbyterians had been consecrated as Bishops of the Scottish Church without having been first ordained to the priesthood. He supported these contentions by reference to the decision of the Catholic Church in the third century, that the ordinations of Donatists were valid. His arguments were stoutly opposed from the Conservative side, and he failed to secure all he desired. Yet a solution was reached in the direction indicated in Tillotson's paper. It was agreed to recommend a 'conditional' or 'hypothetical' formula in the case of those who had been ordained by Presbyters. It should be held enough that they receive Episcopal imposition of hands, without any statement as to the validity or invalidity of their previous ordination. Although the Conservatives argued that this would be evasive and equivocal, Bishop Burnet removed their objection by proposing that it should be explicitly stated that both the ordainer and the ordained reserved their opinions. Ultimately the commissioners, with two dissentients, adopted what came to be known as the 'hypothetical formula.' A report on these lines was presented to the House of Convocation which met on 21st November.

Meanwhile, however, there had been keen discussion and

agitation out of doors. It was rumoured that the commissioners were engaged in a revolution, destroying the Prayer Book, Presbyterianising the Church and surrendering its constitution to please the whims of Nonconformists. Probably the rumour was aggravated by tidings of what was happening in Scotland, where the 'old guard' of the Church of Scotland were doing their best to protect Presbyterianism against bishops and 'curates.' Various polemical pamphlets appeared, the most notable being one by Sherlock, denying the necessity for alterations in the Liturgy and the possibility of placating the Dissenters, and a reply to Sherlock by Tenison, afterwards Archbishop, who maintained that the alterations proposed were not only permissible but requisite. Gradually, the opposition prevailed, the general feeling being that the toleration which Nonconformists had now secured was all that they could fairly claim, and that it was a blunder to attempt to conciliate them further. The Church must hold her own.

When Convocation met, its first business was to listen to a message from the King, in which he expressed a hope that his 'good intentions would not be disappointed,' and that the proposal submitted 'would be calmly and impartially considered.' When Convocation proceeded to the election of a prolocutor, it became plain that the King's counsel would not be followed. Tillotson was nominated for the office, but those who were opposed to the policy of Comprehension put forward Jane (Jean), Dean of Gloucester, one of those commissioners who had withdrawn from the discussions in indignation, and he was elected by a majority of two to one. In his opening address Jane 'extolled the excellency of the Church of England as established by law above all other Christian communities, and implied that it wanted no amendments, ending with this triumphant sentence: "Nolumus leges Angliae mutari."'¹

Although the Bishop of London replied by advocating concessions, the House was unmistakably on the side of the prolocutor. 'Must we,' it was said, in the words of a widely-read contemporary pamphlet (*Vox Cleri*) 'give offence to loyal Churchmen in fear of offending some few dissenters? Is it necessary that a parent should yield to a disobedient child on

¹ Kennett, iii. p. 552.

his own unreasonable terms?' It was discovered that there had been some flaw in the commission given to Convocation, and the sittings were adjourned for a fortnight. When they were resumed, on 4th December, a second message from the King repeated his hope that the clergy would not 'disappoint his good intentions'; but the message was read in vain. In preparing a reply to his Majesty, the Houses fell into a futile contention between the two parties about the significance of the phrases 'Protestant religion' and 'all other Protestant churches.' Although futile in itself, the contention made it quite clear that the Lower House would accept no scheme of concession. Burnet reports that the feeling which prevailed was that it lowered the Church to make overtures to Dissenters until they expressed a desire for reconciliation, but a discount must be made from this statement as manifestly Burnetesque.

It is noteworthy that it was the Lower House that in Canon Perry's phrase again 'saved the Church,' the Bishops being upon the whole disposed to further the King's desires. After much argument, Convocation adjourned on the 16th of December, not to meet again for ten years. The proposals of the Commission passed out of sight until they were reprinted in the year 1854.

So sagacious and dispassionate a Nonconformist as Dr. Calamy expresses the opinion that if the scheme had been carried out it would 'have brought in two-thirds of the Dissenters'; but Dr. Stoughton, a modern Nonconformist whose judgments are usually as impartial as Calamy's, argues that although Presbyterians were 'disposed to return to the establishment,' if certain hindrances were removed, they did not represent the view of other Nonconformists.¹

It is still more difficult to say how far the feelings which prevailed among Churchmen were adequately represented by Convocation. Apart from political issues, which bulked largely at that time, there were several religious questions working in the minds of Churchmen besides their relations to Nonconformists—the Roman question, the Non-juror question, and the rise of theological heresies. All these had their bearings upon proposals of change, and made Churchmen suspicious. Yet even with such deductions, it must be recognised that the desire for any such

¹ Calamy's Abridgment, i. p. 448; Stoughton's *Religion in England*, v. p. 105.

‘Comprehension’ as Tillotson proposed was not widely shared by the clergy of the Church of England. The time for an adequate consideration of the questions involved had not arrived.

One feature of the discussions seems to deserve special attention. The essential invalidity of the Orders of Nonconformists was not asserted with much concord or clearness. It was not a prominent idea with the opponents of Comprehension, and was most keenly urged in connection with the Ordination phrase: ‘Receive ye the Holy Ghost.’ The Bishop of St. Asaph and Dr. Scot objected to an alteration of that phrase on the ground that, if it were altered, there would be ‘no authoritative form of ordination.’ To this Burnet replied that, as the form had been drafted only four centuries before, it could not be regarded as essential to a valid ordination. The objection and the reply to it furnish a fair illustration of the superficiality of the debate. There was no important presentation or discussion of the principle that Bishops alone can ordain.

SERIES III

PAPER I

ANDREW MELVILLE'S OBJECTIONS TO EPISCOPACY

By the REV. THOS. MARJORIBANKS, B.D.

IN any discussion as to Presbytery and Episcopacy as rival forms of Church government in Scotland, the name and influence of Andrew Melville must be taken into account by either side. Melville has been called the Hildebrand of Presbytery; and the name is well chosen. During the time when he guided the counsels of the Church, Melville was engaged in a two-fold polemic—against the encroachments of the civil power, represented by the Regent Morton and, afterwards, King James; and against what he deemed the abuses of the Church itself, of which one of the chief was, in his view, the existence of episcopal government in the diocesan or monarchical sense. As a typical example of the first of these conflicts, we may recall the plain words in which he told the king that he (James) was no head, but merely a member of the kingdom of Christ; while as to the second, his attitude may be plainly enough gathered from the name which (according to his nephew's diary) was generally applied to him—'ἐπισκοπομάστιξ, *episcoporum exactor*, the flinger-out of bishops.'¹

Melville was undoubtedly one of the most learned men of his day. Born near Montrose, and educated in that town, he had afterwards studied at the University of Paris. He then filled for a few years a professor's chair at Poitiers, and after varied fortunes came to Geneva, where he became professor of Humanity, and where he doubtless became impregnated with the strong views on Church government held by Calvin and Beza. Strangely enough, it was a bishop—the Bishop of Brechin—who may be regarded as having unwittingly done his Order an

¹ James Melville's *Diary*, p. 52.

ill turn by persuading Melville to return to his native land. Convinced that his abilities would be of much service to the cause of religion at home, he induced him to renounce the situation he held. Permission was only obtained with difficulty, and Beza, in a letter to the General Assembly, in which he extolled Melville's piety and literary attainments, said 'that the greatest token of affection the Church and University of Geneva could show to Scotland was that they had suffered themselves to be robbed of Mr. Andrew Melville that the Church of Scotland might be enriched.'¹

On Melville's arrival in Scotland, the two Universities of St. Andrews and Glasgow competed for his services, and his work at the latter seat of learning included the teaching not only of Divinity and Oriental languages, but of Greek, Logic, Rhetoric, Arithmetic, Geometry, Aristotle's Ethics, Politics and Physics, and Plato's Dialogues²—a sufficient evidence of his encyclopædic learning. Archbishop Spottiswoode, while admitting that he was 'a man learned,' adds rather slightly, 'chiefly in the tongues'³—an estimate which provokes from M'Crie the tart comment: 'It is very natural for us to depreciate what we do not possess or understand.'⁴

It must be acknowledged as somewhat disappointing that Melville has left us so little in the way of literary remains. With the exception of a number of Latin verses and epigrams, of which he was a master,⁵ his only considerable volume is a commentary on the Epistle to the Romans. His nephew James remarks that his *Carmen Mosis*, with certain other verses, 'put all men in hope of greater works,' and adds, as an apology for the meagreness of literary output, that 'partly his great occupations and distractions, partly, as he was wont to say, *scribillantium et scripturentium turba*, and chiefly that he thought the time most profitably bestowed in doing, teaching, and framing of good instruments for the maintenance of the truth and work of the ministry and schools, moved him to neglect writing, except of verses and epigrams, as his humour and occasions moved him.'⁶

¹ James Melville's *Diary*, pp. 42, 43.

² *Ibid.*, p. 49.

³ Spottiswoode's *History* (ed. 1688), p. 275.

⁴ M'Crie's *Life of Melville* (second ed.), vol. i. p. 131.

⁵ Many of these are directed against 'pseudepiscopi.'

⁶ *Diary*, p. 43.

We are, therefore, left to gather Melville's opinions as to Church government and order from his letters, and from reports of his speeches in the General Assembly and elsewhere—the latter admittedly an unsatisfactory source so far as minute accuracy is concerned. We can also, however, fairly take into account the Book of Policy, or Second Book of Discipline, of which he was one of the compilers, and in which his influence may be plainly seen; and also those who were his own instructors, Calvin and Beza. The regard in which these theologians were both held is apparent from James Melville's diary, in which, immediately after enumerating those appointed to draw up the policy of the Church, he notes: 'In the meantime, the Chancellor, Lord Glamis, being a good learned nobleman, writes to Geneva to Theodore Beza, craving his judgment in the questions moved at our General Assemblies; and by that occasion we got home Beza's treatise *De Triplici Episcopatu*, which did much good. . . . I read Beza's *Confession*, given me by my uncle (Andrew Melville) diligently, and heard his lesson according to Calvin's *Institutions*.'¹ There is no unfairness, then, in the assumption that Melville's views as regarded Presbytery and Episcopacy were substantially those which had been worked out by Calvin and Beza at Geneva.

It was in 1574 that Melville returned to Scotland—two years after the Concordat of Leith, by which it had been agreed that the names and titles of bishops, and the bounds of their dioceses, were meanwhile to continue as in pre-reformation times, though, of course, with much greater regard to the necessary qualifications for such an office.² Melville soon began to take as prominent a part in ecclesiastical as in academic affairs. His name does not appear in the General Assembly which met in August of that year; but he was a member of the Assembly which met in the following March under the Moderatorship of the Bishop of Glasgow, and was appointed one of a committee to confer with the Regent upon the policy and jurisdiction of the Church. It was not, however, until the next Assembly that the gauntlet was thrown down. The usual practice was to begin by the trial of bishops and superintendents—that is, an examination into their lives and the conduct of their office. But on this occasion,

¹ *Diary*, p. 55.

² Spottiswoode, p. 260; Calderwood, iii. p. 172.

John Dury, one of the ministers of Edinburgh, rose and said that this trial should not prejudice what he and other brethren had to object against the lawfulness of that office.¹ This speech of Dury's was supported (possibly instigated) by Melville, whose observations on the subject are given as follows by his biographer M'Crie: 'He was satisfied that prelacy had no foundation in the Scriptures, and that, viewed as a human expedient, its tendency was extremely doubtful, if not necessarily hurtful to the interests of religion. The words "bishop" and "presbyter" are interchangeably used in the New Testament, and the most popular arguments for the divine origin of Episcopacy are founded on ignorance of the original language of Scripture. It was the opinion of Jerome and other Christian fathers, that all ministers of the Gospel were at first equal, and that the superiority of bishops originated in custom, and not in divine appointment. A certain degree of pre-eminence was, at an early period, given to one of the college of presbyters over the rest, with the view, or under the pretext of preserving unity; but this device had oftener bred dissension, while it fostered a spirit of ambition and avarice among the clergy. From ecclesiastical history it is evident, that, for a considerable time after this change took place, bishops were parochial and not diocesan. The same principles which justify, and the same measures which led to the extension of the bishop's power over all the pastors of a diocese, will justify and lead to the establishment of an archbishop, metropolitan or patriarch, over a province or kingdom, and of a universal bishop or pope over the whole Christian world. He had witnessed the good effects of presbyterian parity at Geneva and in France. The maintenance of the hierarchy in England he could not but consider as one cause of the rarity of preaching, the poverty of the lower orders of the clergy, pluralities, want of discipline, and other abuses, which had produced dissensions and heart-burnings in that flourishing kingdom. And he was convinced that the best and the only effectual way of redressing the grievances which at present afflicted the Church of Scotland, and of preventing their return, was to strike at the root of the evil, by abolishing prelacy, and restoring that parity of rank and authority

¹ Spottiswoode, p. 275; Calderwood, iii. p. 347.

which existed at the beginning among all the pastors of the Church.'¹

Spottiswoode gives a shorter account of Melville's speech. 'He (Melville) himself,' says the Archbishop, 'as though he had not been acquainted with the motion, after he had commended the speaker's (Dury's) zeal, and seconded the purpose with a long discourse of the flourishing state of the Church of Geneva, and the opinions of Calvin and Theodore Beza concerning Church government, came to affirm, "That none ought to be officebearers in the Church whose titles were not found in the Book of God. And for the title of Bishops, albeit the same was found in Scripture, yet was it not to be taken in the sense that the common sort did conceive; there being no superiority allowed by Christ among ministers; He being the only Lord of His Church, and all the same servants in the same degree, and having the like power." In end he said, "that the corruptions crept into the estate of bishops were so great, as unless the same were removed it could not go well with the Church, nor could religion be long preserved in purity.'"'²

From the time of this speech of Melville's we can trace a gradual but very decided advance in the direction of Presbytery. A committee of six was forthwith appointed to argue the question for and against bishops, three on each side. After two days they presented their report, which was of the nature of a compromise. They did not consider it expedient to decide upon the lawfulness of Episcopacy; judged the name of a bishop to be common to all ministers who had charge of a particular flock; but held that, from among these, some might be chosen to oversee and visit such reasonable bounds, besides their own flock, as the General Assembly might appoint. It is worth noting that although six bishops were present in the General Assembly, they uttered no word in defence of their Order.³

In 1576 the Assembly confirmed the approval of the report

¹ M'Crie, *Life of Andrew Melville*, second ed., vol. i. pp. 111, 112. Dr. M'Crie, usually careful in his references, gives none for this speech, which does not appear in his first edition. It is neither to be found in Calderwood's MS. history (General Assembly Library, Edinburgh) nor in Wodrow's MS. Life of Melville (Glasgow University Library). Those best acquainted with Dr. M'Crie's work are agreed that he would never have inserted the speech without authority.

² Spottiswoode, p. 275.

³ *Ibid.*, p. 276; Calderwood, iii. pp. 355, 356.

as expressed at their last meeting, and resolved that the bishops should take themselves to the service of some one church within their diocese, and condescend upon the particular flocks whereof they would accept the charge.¹

The same Assembly, in answer to a request from the Regent that they would either stand to the Concordat of Leith, or settle upon some form of policy by which they would abide, replied saying that they would proceed with all diligence to draw up a scheme of policy, and submit it for the approval of the Privy Council. For this purpose they appointed some of their number to frame what ultimately took shape as the Second Book of Discipline.²

In 1578 the Assembly decreed that bishops should be content to be pastors of a flock ; should not usurp criminal jurisdiction, nor vote in Parliament in name of the Church, without commission from the General Assembly ; should not take up rents for maintaining their ambition, but content themselves with a reasonable portion ; should not claim the title of temporal lords ; should not usurp over presbyteries, but be subject to the same ; and should take no further bounds of visitation than are committed to them.³

In 1580 the Assembly which met at Dundee took the final step against Episcopacy. ' Forasmuch as the office of a bishop, as it is now used and commonly taken within this realm, has no sure warrant, authority, or good ground, out of the Scripture of God, but is brought in by the folly and corruption of man's invention to the great overthrow of the Kirk of God ; the whole Assembly of the Kirk in one voice, after liberty given to all men to reason in the matter, none opposing himself in defending the said pretended office, finds and declares the said pretended office, used and termed as is above said, unlawful in the self, as having neither fundament, ground, or warrant in the Word of God.'⁴ The Act proceeds to detail the arrangements whereby the bishops are to demit their offices and submit to the judgment of the Assembly.

¹ Spottiswoode, p. 276 ; Calderwood, iii. p. 366.

² Spottiswoode, p. 276 ; Calderwood, iii. pp. 360, 361.

³ Spottiswoode, p. 303 ; Calderwood, iii. pp. 431, 432.

⁴ Calderwood, iii. p. 469 ; Spottiswoode, p. 311. (Spottiswoode's account is shorter.)

In 1581 the Assembly which met at Glasgow confirmed the above statute, to avoid any mistake, by declaring that they meant wholly to condemn the estate of bishops as they are now in Scotland, and that the same was the determination and conclusion of the Kirk at that time.¹

The shape which the polity of the Church took under Melville's leadership is shown by the Book of Policy, or Second Book of Discipline. This was approved by the General Assembly in 1578, and was recognised by Parliament in establishing the Church upon a Presbyterian basis in 1592, and again in 1690. In it the following words are used with reference to ecclesiastical offices :

' There are four ordinary offices or functions in the Church of God : the Pastor, Minister or Bishop ; the Doctor ; the Presbyter or Elder ; and the Deacon.

' These offices are ordinary, and ought to continue perpetually in the Church, as necessary for the Government and Policy of the same ; and no more offices ought to be received or suffered in the true Church of God, established by His word.' ²

' Pastors, Bishops, or Ministers are they who are appointed to particular Congregations, which they rule by the Word of God, and over which they watch : in respect whereof some time they are called Pastors, because they feed their congregation ; sometime *Episcopi* or Bishops, because they watch over their flock ; sometime Ministers, by reason of their service and office ; sometime also Presbyters or Seniors, for the gravity in manners which they ought to have ; taking care of the spiritual government, which ought to be most dear unto them.' ³

As an introduction to the grounds of objection to Episcopacy urged by Melville and his followers, we may quote what Calvin says of the order in his *Institutes*, which, as we have seen, were regarded by Melville with approval. ' In giving,' says Calvin, ' the name of bishops, presbyters, and pastors indiscriminately to those who govern churches, I have done it on the authority of Scripture, which uses the words as synonymous. To all who discharge the ministry of the word it gives the name of bishops. Thus Paul, after enjoining Titus to ordain elders in every city, immediately adds : " A bishop must be

¹ Calderwood, iii. p. 525 ; *Book of Universal Kirk* (Peterkin's ed.), p. 207.

² Chap. ii. 9, 10.

³ Chap. iv. 1.

blameless," etc. (Titus i. 5, 7). So in another place he salutes several bishops in one church (Phil. i. 1), and in the Acts the elders of Ephesus, whom he is said to have called together, he, in the course of his address, designates as bishops (Acts xx. 17).¹

In another passage, speaking of the post-apostolic church, in times when as yet it had 'not strayed far from the divine institution,' Calvin says, "All, therefore, to whom the order of teaching was committed they called presbyters, and in each city these presbyters selected one of their number to whom they gave the special title of bishop, lest, as usually happens, from equality dissension should arise. The bishop, however, was not so superior in honour and dignity as to have dominion over his colleagues, but as it belongs to a president in an assembly to bring matters before them, collect their opinions, take precedence of others in consulting, advising, exhorting, guide the whole procedure by his authority, and execute what is decreed by common consent, a bishop held the same office in a meeting of presbyters. And the ancients themselves confess that this practice was introduced by human arrangement, according to the exigency of the times. Thus Jerome, on the Epistle to Titus, cap. 1, says: 'A bishop is the same as a presbyter. And before dissensions were introduced into religion by the instigation of the devil, and it was said among the people, I am of Paul, and I of Cephas, churches were governed by a common council of presbyters. Afterwards, that the seeds of dissension might be plucked up, the whole charge was devolved upon mendatory rescripts, preventions, and the like. But they all conduct one. Therefore, as presbyters know that by the custom of the Church they are subject to him who presides, so let bishops know that they are greater than presbyters more by custom than in consequence of our Lord's appointment, and ought to rule the Church for the common good.'"²

From a study of these various sources it would appear that the objections of Melville and his followers to an episcopal form of government were two-fold. Episcopacy, in their view, was (1) unlawful, because not founded upon the Word of God, and (2) dangerous, because of the abuses and corruptions to which it inevitably led.

¹ Calvin, *Institutes* (tr. by Beveridge), ii. p. 321. ² *Ibid.*, ii. pp. 328, 329.

With regard to the first argument, Melville held, as Jerome and Calvin had held before him, that bishops and presbyters were originally identical, the terms being used interchangeably in the New Testament; and that it was only by a gradual process that the one order achieved pre-eminence over the other. This seems also to have been the view of the earlier Scottish Reformers, including Knox and those who acted with him in preparing the Book of Common Order and the First Book of Discipline. The Scripturally appointed officebearers are in these books declared to be the pastor, doctor, elder, and deacon.¹ The word 'bishop' is not used.² Of the superintendent, a functionary about whom there has been much controversy, it seems at all events clear that he was not regarded as belonging to a higher order of ministry than his brethren in the presbyterate.

There is, however, a long step between saying that an office has no foundation in the Word of God, and pronouncing it entirely unlawful on that account. It was this latter position that was characteristic of Melville and his school—a position the strict logical acceptance of which would carry us very far, and might rule out a number of practices besides Episcopacy. Yet it does not seem unreasonable to hold that a system which had come to be so thoroughly embedded in the pre-Reformation Church as Episcopacy was—the bishops having the sole power of ordination and being above the control of the presbyters—should, *if* proved non-scriptural, be also deemed unlawful, as completely altering the constitution of the Church from the ideal set forth in the New Testament. And it is interesting to notice that while at the present day Episcopacy is defended as essential to the constitution of the Church, while non-episcopal Churches usually rest their case on the principle that Church government is a matter of expediency, in the early stages of the controversy these positions were reversed. Those who attacked Episcopacy took their stand on Scripture, while its defenders pled for it as a good working arrangement. This is illustrated in the controversy between Archbishop Whitgift and Cartwright, the champion of the Puritans, a controversy which shows that the question

¹ Book of Common Order: 'Of the Ministers and their Election.'

² Row says that the name of bishop was by the framers of the (first) Book of Discipline purposely avoided. MS. History, p. 13.

about the presbyterial or episcopal government of the Church had been formally raised in England at least seven years before Melville and Dury raised it in the Scottish General Assembly. Whitgift lays down the position 'that although the Holy Scriptures were a perfect rule of faith, they were not designed as a standard of Church discipline or government, but this was changeable, and might be accommodated to the civil government we live under; that the apostolical government was adapted to the Church in its infancy, and under persecution, but was to be enlarged and altered as the Church grew to maturity, and had the civil magistrate upon its side.' Cartwright, on the other hand, maintained 'that the Holy Scriptures were not only a standard of doctrine, but of discipline and government, and that the Church of Christ was, in these respects, to be regulated by them through all ages.'¹

The second argument against Episcopacy was founded upon the abuses to which, in the opinion of those who opposed it, the system necessarily led. This and the former objection were evidently meant to support one another and have a cumulative effect. An arrangement which had worked well might be tolerated, even if it were not expressly commanded in Scripture, provided it were not expressly condemned; but a system which had been the source of evil and corruption only tended to prove the unwisdom of any departure from the sure ground of Scriptural authority. To Melville and those who thought with him, Episcopacy in any form was but the thin edge of the wedge. The superiority of one order of ministers over another opened a door for all manner of oppression and unlawful domination, culminating in the unwarrantable supremacy of the Pope himself. Beza had put the same argument concisely in his book *De Triplici Episcopatu*—the divine, human, and Satanic. The divine Episcopacy was that of the New Testament. The human was that whereby one minister was elevated to a rank above his fellows. Unless this human Episcopacy were pulled up clean by the roots, it would sprout and bring forth again a Satanic Episcopacy, such as that of which the Roman Church had afforded so terrible an example. It is impossible not to see what force such an argument must have had in Melville's day.

¹ Quoted by Cook, *History of the Church of Scotland*, i. p. 180, note.

We of later times have seen Episcopal government working well and unaccompanied by gross abuses. But to the Reformers of that day, with the menace of Rome continually before them, it is no wonder that it seemed the only safe course to be done for ever with a system which had become associated with the evils from which the Church had so recently been delivered. Melville's own later experience all went to confirm the association of Episcopacy with high-handed and arbitrary dealing, on the part of the State as formerly on the part of the Church. Indeed, the oppressive acts of the later Stuart sovereigns did as much as anything else to foster in the Scottish Church that distrust of Episcopacy which it has never entirely lost.

PAPER II

NOTE ON THE ARGUMENTS AGAINST EPISCOPACY OF
RUTHERFORD AND GILLESPIE IN THE SEVEN-
TEENTH CENTURY

By the REV. G. L. PAGAN, B.D.

SAMUEL RUTHERFORD'S arguments against Episcopacy may be grouped under three heads: (1) It is not sanctioned by Scripture, but is of human invention. The government of the Apostolic Church was Presbyterian, and of divine authority and perpetual obligation. (2) Prelacy tended to Papacy, and this had been abjured by the Reformers. (3) The Episcopate was a tool of the Monarchy and was being used for the oppression of the Kirk. It was inimical to religious liberty and ecclesiastical independence.

The first two lines of argument had been worked out in the preceding generations. Rutherford's chief contention was to maintain the third, and to assert the rights of the Church against royal interference and aggression. His own sufferings accentuated his zeal. Through the assistance of the patron, Lord Kenmure, he was ordained to the parish of Anwoth in 1627, according to the Presbyterian order. He was summoned before the Court of High Commission in 1630 for Nonconformity, and for preaching against the Articles of Perth. In 1636 he was deprived of the ministerial office by the same Court, and was sentenced to be confined in Aberdeen during the King's pleasure, to which he submitted as going to 'Christ's Palace.' 'The King hath power of my body, and rebellion to Kings is unbecoming to Christ's Ministers.' The reversal of 1638 restored him to liberty, and when he preached in the College Church, Edinburgh, according to Baillie, 'he felled all the fourteen Bishops and houghed the ceremonies.' His share in the Solemn League and Covenant and the Westminster Assembly associated him with

the most ardent and uncompromising section of the Presbyterian party. It was amidst such experiences and dangers that Rutherford's judgment was formed that 'Prelacy and Popery wither as in a land of drought, except they be planted beside rivers of blood.'

He was essentially a disputant, facing the frays of the moment, and in his day the claims of the Independents attracted attention even more than the claims of Episcopacy. In his arguments against them, his assertion of the authority of a regular ministry is quite as remarkable as his defence of the Presbyterian order. His general view of the questions at issue may be gathered from *The Due Right of Presbyteries* (1644), p. 311 :—' Question 8 : What peculiar authority is in the Eldership for the which they are over the people in the Lord according to the doctrine of our brethren ? We hold that Christ hath given a superiority to Pastors and Overseers in His house, whereby they are by office, government, and power of the keys above the people. But (1) this authority is limited and conditionall, not absolute, as if they may do what they please. (2) It is a power ministeriall, not a dominion : for as mere servants and ambassadors of Christ, they do but declare the will and commandment of the King of Kings. (3) When this authority is not received by the precise rule and prescript of the law of God, it is not valid, but null and of no force. (4) They are so above the people as that they are their servants for Christ's sake, 2 Cor. 4, 5, not as if the people had a dominion over the pastors, or as if they had their authority from the people, they have it immediately from Christ, but because all their service is for the good and the salvation of the people. (5) They have no superiority, as they are subject to the prophets, to be judged and censured by the Church, representative of Pastors, Doctors, and Elders.'

With all his controversial zeal and restive independence there were not wanting in the great Doctor breathings of a kindlier spirit, which the divisions of the time did not permit of realisation. There is charity in the Finis of his argument. 'The rest of the propositions tending to Reformation not discussed elsewhere, I acknowledge to be gracious and holy counsels meet for a Reformation. The Lord build His own temple in that land and fill it with the cloud of His glory.'

George Gillespie had a more lucid and dispassionate mind. He, too, refused to accept Episcopal ordination on his election to the parish of Wemyss in 1638. Even more clearly than in the case of Rutherford he objected to Episcopacy, chiefly because it was being foisted from England on an unwilling Church, accompanied by various distasteful ceremonies. In his first work, *Dispute against English Popish Ceremonies obtruded on the Church of Scotland*, published in 1637, when he was only twenty-five, he argued against the necessity, the expediency, the lawfulness, and the indifference of the ceremonies, maintaining with regard to the ministry, 'Wherefore it is manifest that beside these two orders of elders and deacons, there is no other ecclesiastical order which hath any divine institution nor necessary use in the Church, and princes should do well to apply their power and authority to the extirpation and rooting out of popes, cardinals, patriarchs, primates, archbishops, bishops, suffragans, abbots, deans, vice-deans, priors, archdeacons, subdeacons, chancellors, chanters, subchanters, exorcists, monks, eremites, acoloths, and all the rabble of popish orders, which undo the Church, and work more mischief in the earth than can be either soon seen or shortly told' (p. 160).

In his *magnum opus*, *Aaron's Rod Blossoming* (1646), a protest against Erastianism, he states succinctly his view of Presbyterianism *versus* Papacy and Episcopacy, and it can be recognised how practical as well as theoretical considerations influenced his judgment.

'I dare confidently say, that if comparisons be rightly made, presbyterial government is the most limited and the least arbitrary government of any in the world.' [After discussing Papacy, he continues]: 'As little there is in making the comparison with Prelacy, the power whereof was indeed arbitrary and impatient of those limitations and rules which Presbyteries and Synods in the Reformed Churches walk by. For 1. The prelate was but one, yet he claimed the power of ordination and jurisdiction as proper to himself in his own diocese. We give the power of ordination and Church censures not *uni*, but *unitati*; not to one, but to an assembly gathered into one. 2. The prelate assumed a perpetual precedency, and a constant privilege of moderating synods, which presbyterial government

denieth to any one man. 3. The prelate did not tie himself to ask or to receive advice from his fellow-presbyters, except when he himself pleased: but there is no presbyterial nor synodical sentence which is not concluded by the major part of voices. 4. The prelate made himself pastor to the whole diocese (consisting, it may be, of some hundreds of congregations) . . . the presbyterial government acknowledgeth no pastoral charge of preaching the word and ministering the sacraments to more congregations than one. 5. The prelates, as they denied the power and authority of pastors, so they utterly denied the very offices of ruling elders and deacons, for taking more especial care of the poor in particular congregations. 6. They did not acknowledge congregational elderships, nor any power of discipline in particular congregations, which the presbyterial government doth. 7. They intruded pastors oftentimes against the consent of the congregation, and, *reclamante ecclesia*, which the presbyterial government doth not. 8. They ordained ministers without any particular charge, which the presbyterial government doth not. 9. In synods they did not allow any but the clergy alone (as they kept up the name) to have decisive suffrage. The presbyterial government gives decisive voices to ruling elders as well as to pastors. 10. The prelates declined to be accountable to, and censurable by, either chapters, diocesan or national synods. In presbyterial government all (in whatsoever ecclesiastical administrations) are called to account in presbyteries, provincial and national assemblies respectively, and none are exempted from synodical censures in case of scandal and obstinacy. 11. The prelates' power was not merely ecclesiastical; they were lords of parliament, they held civil places in the State, which the presbyterial government condemneth. 12. The prelates were not chosen by the Church; presbyters are. 13. The prelates did presume to make law binding the conscience, even in things indifferent, and did persecute, imprison, fine, depose, excommunicate men for certain rites and ceremonies acknowledged by themselves to be indifferent (setting aside the will and authority of the law-makers). This the presbyterial government abhorreth. 14. They did excommunicate for money matters, for trifles, which the presbyterial government condemneth. 15. The prelates did not allow men to examine,

by the judgment of Christians and private discretion, their decrees and canons, so as to search the Scriptures and look at the warrants, but would needs have men think it enough to know the things to be commanded by them that are in place and power. Presbyterial government doth not lord it over men's consciences, but admitteth, yea commandeth, the searching of the Scriptures whether these things which it holds forth be not so, and doth not press men's consciences with *sic volo, sic jubeo*, but desireth they may do in faith what they do. 16. The prelates held up pluralities, non-residencies, etc., which the presbyterial government doth not. 17. As many of the prelates did themselves neglect to preach the gospel, so they kept up in diverse places a reading, non-preaching ministry, which the presbyterial government suffereth not. 18. They opened the door of the ministry to divers scandalous, Arminianised, and popishly-affected men, and locked the door on many worthy to be admitted. The presbyterial government herein is as contrary to theirs, as theirs was to the right. 19. Their official courts, commissaries, etc., did serve themselves heirs to the sons of Eli, "Nay, but thou shalt give it me now, and if not, I will take it by force." The presbyterial government hateth such proceedings. 20. The prelates and their High Commission Court did assume *potestatem utriusque gladii*, the power both of the temporal and civil sword. The presbyterial government meddleth with no civil nor temporal punishments.' (Book II. Chapter iii.)

It would be well if the record of the Presbyterian party were as clean as their claims thus set forth.

PAPER III

THE TEACHING OF THE ABERDEEN DOCTORS ON
ORDINATION AS EXPRESSED IN THE *IRENICUM*
OF DR. JOHN FORBES OF CORSE, 1629.

By F. C. EELES, F.R.Hist.S.

DR JOHN FORBES was the most brilliant member of the brilliant group of seventeenth century Scottish theologians known as the Aberdeen Doctors. The son of Dr. Patrick Forbes, of Corse, Bishop of Aberdeen 1618-35, sometimes called the second (or the third) founder of Aberdeen University, who was himself a learned theologian, he was born in 1593; and after studying at King's College, Aberdeen, at Heidelberg and other German universities, he was appointed Professor of Divinity in King's College, Aberdeen, in 1619. He was a prolific, but very learned and careful writer, and he took a leading part in attacking and answering the Covenanting leaders when they went to force the hostile Aberdonians to subscribe the Covenant in 1638. Ordained by a Dutch Presbytery, he ministered during the First Episcopacy at Aberdeen under his father and Bishop Adam Bellenden. Dispossessed when the Covenanting party obtained power after the Glasgow Assembly, he lived for a time in Holland in communion with the Reformed churches there, returning to Scotland in 1646. He retired to his country house of Corse in West Aberdeenshire, and died in 1648. The Covenanting Presbytery refused him so much as burial by the side of his wife and his father in the cathedral church, though he received communion under their régime. His body lies in a nameless grave in the parish churchyard of St. Marnan, Leochel. His works fill two thick folio volumes, and some went through several editions, the best being that published at Amsterdam in 1703, with a life of Forbes

by Dr. George Garden, one of the pre-Revolution ministers of St. Nicholas, Aberdeen, who was afterwards ejected.

Dr. Forbes's writings are full of valuable matter, much of which is by no means out of date. An attempt has here been made to give a summary of his teaching upon the controversy between Episcopacy and Presbyterianism in regard to ordination, as set forth in his *Irenicum amatoribus veritatis et pacis in Ecclesia Scoticana*, which was first published at Aberdeen in 1629. This learned treatise is marked by calm judgment and a manifest endeavour to do justice to opposing views. Much of it is concerned with controversies which have long since died out, such as the authority of the Perth Assembly which passed the Five Articles, kneeling at communion, the use of forms of prayer, the keeping of festivals, and so forth. Much also relates to the rights of local churches, the power of the civil magistrates, and other things still of living interest, but not immediately concerned with the controversy of Presbyterianism *versus* Episcopacy. What follows is a very brief recapitulation of the argument in that part of Chapter xi. of the Second Book of the *Irenicum* which deals with 'The right of presidency and of episcopal rule, where ordination of ministers is also discussed.' In order to keep within the limits of a paper in this series, Dr. Forbes's arguments have been abridged as much as possible, but all his references have been given, so that the reader who has not access to the work itself may follow the reasoning in detail, and understand the author's position. The clear-cut Latin sentences lose considerably in the translation, which has been kept as literal as possible; here and there a few words of the Latin have been retained as being clearer. The writer has not attempted to verify all Dr. Forbes's references.

It is hoped that the following pages may stimulate the reader to study Forbes for himself. Though every care has been taken to present his view both accurately and fully, so brief a summary is most inadequate. A really serviceable abridgement of the more important parts of this and other works of Dr. John Forbes is still a crying need in Scottish historical theology.

IRENICUM AMATORIBUS VERITATIS ET PACIS IN
ECCLESIA SCOTICANA

Prece et studio

JOANNIS FORBESII A CORSE, Presbyteri & SS. Theol.

Doctoris, ejusdemque Professoris in Academia
Aberdonensi.

Ab auctore recognitum.

Editio Secunda.

[In *Reverendi viri Johannis Forbesii a Corse. . . . Opera Omnia. . . . Amstelædami, 1703, vol. i. pp. 361 sq.*]

Cap. XI. ON THE RIGHT OF PRESIDENCY AND OF EPISCOPAL
RULE [pp. 409 sq.]

Whether Episcopacy be of divine or ecclesiastical institution?

§ ii. 'We read that no one in the first and indeed many [subsequent] ages of the Christian Church doubted that bishops were over presbyters by divine law, or discussed the question, except the presbyters Aërius and Jerome.' Explains that A. was adjudged a heretic, and § iii. that his followers pleaded J.'s authority in vain. § iv. Certain Reformed Doctors following J. consider episcopacy of ecclesiastical institution, viz. :

I. Confes. Fid. Ecclesiarum Gallicarum 1562 apud Calvinum in opusculis.

II., III. In resp. Protestantium, de reformandis abusus 1541, apud Melch. Goldastum, t. 2 Constitutionum Imperialium, Martinus Bucer . . . et cum eo reliqui, §§ 3, 5.

IV. In gen. Synodo Petricoviensi Eccles. ref. Poloniae, art. 6.

V.-X. Calvin, *Inst.*, l. 4 c. 10 § 6 : in Tract. de necess. reform. Eccles. : *Inst.*, l. 4, c. 4, §§ 1, 2, 4, 15.¹

XI. Zanchius, in quart. præceptum, coll. 732-3.

XII. Junius, in animadv. in lib. Bellarmini, de clericis, c. 14. not. 1.

Rivetus, in Catholico Orthodoxo, tr. 2, q. 23.

Gersom Bucerus, Dissert. de gubernat. Eccles., p. 620.

F. then quotes the well-known passages (XIII.) Jerome to Evagrius, (XIV., XV.) J. in Epist. ad Tit., c. 1, (XVI.) J. adv. Luciferanos, and sums up that J. attributes the prerogative of

¹ Vide Bezam ad Saraviam, ch. XXI.

the bishop 'quem summum sacerdotem vocat' to ecclesiastical custom, and decides that it is not to be condemned as repugnant to the truth of God, but necessary and useful because ancient and universal; and that J. is followed herein by the Reformed Doctors already quoted. He illustrates the position that lawful and praiseworthy customs of the Church are in a certain sense divine, by quoting (xvii.) Calvin, *Inst.*, l. 4, c. 10, § 30, who says of kneeling at prayer, 'Dico sic esse humanam, ut simul sit Divina.' He then refers to Knox's Superintendents, quoting (xviii.) from the form K. used in admitting Spotswood as Sup. of Lothian 'in tuo nomine,' 'Deus qui te vocavit,' 'in hac sancta vocatione,' referring also to Lindsay's defence of the Perth Articles and to the Assembly of 1573 (6 Mar.), decreeing that the bishops' jurisdiction was not to exceed that of the Superintendents.

F. goes on to quote (xix.) Conc. Chalcedon approving Conc. Antioch 341, can. 5, Cyprian, ep. 27, 52, 55, 69, ed. Pamelianae., Jerome, ad Marcellam; præf. in Matth.; Cat. Script. Eccles.; also Abr. Scultetus in epist. ad Tit. ult. cap., Beza in 1 Tim. 5¹⁷, Dan. Chamier,¹ Panstrat., t. 2, l. 13, c. 19, §§ 16 and 18, as calling episcopacy of divine origin.

F. proceeds to elaborate a number of propositions.

Prop. I. *Such is the nature of the Gospel Ministry by divine law that disparity of ministers is not repugnant but agreeable to it.* Ref. 1 Cor. 12²⁸.

Prop. II. *It is of divine law that the ministry be social; that is, that each pastor acknowledge a certain fellowship to which he owes subjection and obedience.* Ref. 1 Cor. 15³².

Prop. III. *It is of divine law that the several societies or colleges of pastors should have their definite territories and limits jam post Apostolos.* Ref. Acts 14²², Tit. 1⁵, Acts 20, Conc. Carth. 3, can. 20, 37.

Prop. IV. *By divine law, a præses or moderator is necessary to the society, or college of pastors, who should be endued with public authority to call the other members together, and who with them should exercise church discipline, ordain clergy, act as moderator at meetings, visit churches, pronounce sentences, easque executioni*

¹ Licet antea diversum scripserit, l. 10, chs. v., vi.

pro officio mandandas curet, to whom the others should be subject in the Lord, and whom they should be bound to obey, so long as he acts lawfully in his προστασία.

This, says F., is for keeping order and avoiding confusion : even those who are against bishops do not deny the necessity of a Moderator or Præses. He quotes Ignatius ad Trallianos, Beza on 1 Tim. 5¹⁷, Ambrosiaster on 1 Tim. 1³.

Prop. V. *It is in agreement with divine law that, after the Apostles, who were Moderators in common of all societies, there should be one Moderator rather than many over each diocesan college of pastors.*

For avoiding confusion : refs. Tim. and Tit. 1, 3, 5¹⁹, 1^{3,5}, 3¹⁰, Apoc. 2, 3. Here ordination, discipline, etc., though to be done by common consent of copresbyters, is nevertheless enjoined upon one in particular, who is blamed for their neglect. . . . 'Hence it is laid down in ancient canons that there is not to be more than one bishop in each diocese. Quotes Leo, ep. 86, ad Nicetam, Council of Chalcedon, end of Act 11.

Prop. VI. *It is in agreement with divine law, that the moderator, or ordinary præses of the brethren, should not abandon or be removed from that office except for fault or infirmity.* Refs. Col. 4¹⁷, Lk. 9⁶².

Prop. VII. *The moderator of the brethren ought himself also to be subject to censure.* Refs. Mt. 18, 1 Cor. 14.

Prop. VIII. *He ought to superintend with kindness, without tyrannical contempt or despotism.* Refs. Mt. 20²⁵⁻²⁸, Conc. Carthag. iv., can. 34, 35, Jerome, ep. ad Nepotianum, quæ incipit *Petis a me*, Gregory I. Moral, l. 23, c. 13.

Prop. IX. *It is of divine law that the moderator should not carry out any weighty matter without the consent of his copresbyters.* Refs. Cyprian, l. 3, ep. 10, Conc. Carth. iv., can. 23.

Prop. X. *He who is set over his copresbyters remains still a presbyter by divine law, and is bound to execute his office as a presbyter.*

When a presbyter is made a bishop, he does not cease to be a presbyter ; there is not a change, but the addition of a burden. He still retains the care of his own parish, that of his cathedral

church, doing the 'work of an Evangelist' there (2 Tim. 4^{1,2,5}). Nor must he leave it to another (1 Cor. 3, 8). Refs. Jn. 10, 1 Tim. 3², St. Ambrose, de Dignit. Sacerdotali, c. i., Gelasius ep. 8 ad Anastasium Imp. But it is expedient, if not necessary, that the bishops should have some presbyters as colleagues, so that his own flock should not suffer from his compulsory absence. Refs. Irenæus, ap. Euseb. Hist. Eccles. c. 24 in Ep. ad Victorem. 'Ambrosius vel quisquis author est illius commentarii' in 1 Tim. 3. 'Every bishop is a priest, but not every priest is a bishop,' Ambr. de Dig. Sac. 3. F. also refers to his own *De Cura et Residentia Pastoralis* for full treatment. [Opera, ed. Garden, 1703, ii. pp. 529-619.]

Prop. XI. *That the presbyter who is præses of his copresbyters, and called regular moderator, is peculiarly a bishop, the rest being content with the word presbyters; that this is not done against divine law, but was introduced agreeably to divine law, by an ecclesiastical law which is œcumenical, and apostolic, and preserved without blame by the continuous use of all time. And, when there is agreement on the thing itself, that disturbance and uproar should have been stirred up about the name is a piece of the most extravagant folly.*

Prop. XII. *He sins against Christ, whether he be lay or cleric, who despises the authority of his bishop, and obstinately refuses obedience to his just commands in those things which are under episcopal authority.*

Refs. Ignat. ad Trall.; Nic. Vedelius Genevensis in Ep. Ignat. ad Trall., c. 2, c. 9, n. 7; Ignat. ad Ephes., ad Philadelph.; Vedelius in Ep. Ignat. ad Phil., c. 14; Ignat. ad Smyrn. Vedalius in Ep. ad Smyrn, c. 5; Ignat. ad Magnes.; Isaac Vossius on these passages of St. Ignatius; Cyprian ad Pupianum; Ambr. de officiis, l. 2, c. 24.

F. here inserts a long digression upon *Whether the Episcopate be an order distinct from the Presbyterate?* Quotes St. Denys the Areopagite as defining three orders, of bishops, priests, and deacons (de Ecclesiast. Hierarch., c. 5); Peter Lombard, l. 4, Sent. dist. 24, as reckoning two holy orders, the Presbyterate and Diaconate, the Episcopate being superior not in order, but in dignity and office; with whom agrees St. Thomas, in 4 Sent.

d. 24, q. 2, art. 2. He adds that Lombard and the schoolmen also enumerate five minor orders, thus making seven, though the canonists, following Isidore, and Gratian, dist. 21 *cleros* and d. 25 can. *Perlectis*, add Psalmists to the minor orders and make the Episcopate a true order, thus making nine in all. He then quotes Aureolus, in 4 Sent. dist. 24, art 2, § 1 as drawing attention to this difference between the jurists, with whom he disagrees, and the theologians, and also Angelus [de Clavasio] in Sum., verb. Ordo., c. 1, where he agrees with the theologians. St. Thomas (in 4 Sent. d. 24, q. 1, art. 1, ad 5) does not allow Psalmists to be a separate order, and Bonaventure agrees with him. Capreolus (in 4 Sent. d. 25, art. 1, concl. 2) allows the Episcopate to be an order in the wider, though not in the stricter sense. St. Thomas (in 4 Sent. d. 25, art. 2, ad. 2) speaks of the episcopal power as indelible, like character, *quamvis dici non possit Character*. Bonaventure (in 4 Sent. d. 24, art. 2, q. 3), 'The common opinion holds good, that in the episcopate a new character is not given, but a certain eminence conferred. . . . *Episcopatus præcise loquendo non est ordo ; sed ordinis eminentia, vel dignitas.*' Aureolus (*ut sup.*) says that the Episcopate is not a different order from the Priesthood, but an amplification of its power. Scotus (in 4 Sent. di. 24, q. unica, art. 3, num. 8) says that order is not properly a sacrament. F. concludes that the Episcopate is a distinct order, taking 'order' for an office divinely instituted in the Church, that in the primitive Church the Apostles constituted bishops, priests, and deacons, and that these are three distinct orders.

Prop. XIII. *A [local] church holding the orthodox faith, if it be without a bishop, or ordinary diocesan president of presbyters, labours indeed under a certain economic defect : but it does not on that account cease to be a true church, nor does it cease to possess that ecclesiastical power which other churches have that are ruled by bishops. Although a bishop should be desired and striven for.*

Pars. I. On a church without a bishop.

The Samaritan church, founded by Philip the Deacon, Acts 8¹² ; the church of Antioch, Acts 11²⁰⁻²¹ ; the church of Lystra, etc., over which Paul and Barnabas set presbyters, Acts 14²⁰⁻²² ;

the church of Ephesus, Acts 20, which afterwards had a bishop, Apoc. 2¹, at first had no bishops.

Nicholas de Tudeschis, Abbas Panormitanus, In 1 Decretal. de consuetudine, c. 5, 'At one time priests in common ruled the Church and ordained priests, and equally conferred all the sacraments, but afterwards, to allay schisms, the apostles caused and arranged that bishops be created.'

F. insists that, as [local] churches existed before bishops, the latter are not necessary to the *esse*, but only to the *melius esse* of the Church. He refers to the well-known passage in John Major, l. 2, hist. de gestis Scotorum, c. 2, who says the Scots were instructed in the faith by priests and monks without bishops before A.D. 429, for over two hundred and thirty years.

The church of Rome was ruled by presbyters, A.D. 259, for eleven months fifteen days after the death of Xistus II. (Onuphrius, Chron.) ; and after the death of Fabian, Moses the presbyter excommunicated Novatian (Euseb. Hist. l. 6).

It is of divine law that there be deacons or clerks, ordained canonically by laying on of hands, and bound for life (Acts 6, 1 Tim. 3). But in the reformed church of Scotland this cannot be, through poverty caused by sacrilege. So, too, in some reformed churches the civil magistrate makes it impossible to have bishops. These are defects, but not such as to take away the essence or power of the Church.

'That ordination is valid which is carried out by presbyters in those churches in which there is no bishop, or where he is not orthodox, or a notorious heretic and wolf: although it would be more becoming if it could possibly be done by an orthodox bishop and presbyters: or even by presbyters alone, with the approval and consent of the bishop. For it is only rule, superintendance, and the governing or episcopal *προστασία*, called jurisdiction, which is proper to the bishop by divine law: all the remaining parts of the pastoral office are common to all pastors, by divine law, whether bishops or priests. . . . But where there is no bishop, everything ought to be done by the common consent and authority of the presbyters assembled in Synod. Although, as I have said, there ought to be a struggle that even that economic defect be removed, and that each diocese have its own bishop.'

F. then quotes epistle of Roman clergy to Cyprian (inter ep. Cypriani, 31 vel. l. 8 ep. 7). He claims that whether the ordination of Timothy be to the Episcopate or Presbyterate, it is simple priests who are meant in 1 Tim. 4¹⁴, and then quotes Jerome ep. ad Evagr. about the Alexandrian priests, and refers to the ordination of Pelagius as Bishop of Rome by two bishops and one priest, instead of by the canonical three bishops. This he discusses at length, §§ 8, 9, 10. Then, citing Eleventh Council of Toledo, which orders priests to join with the bishop in laying on hands, he maintains that this is not merely a sign of assent, but conveys order, like the laying on of the bishop's hands. The people assent, but do not lay on hands, an action by which the Holy Spirit is given in ordination and confirmation, and which is only competent to those who have the power of blessing and ordaining. F. refers to Angelus [de Clavasio] and St. Thomas as saying that the laying on of hands is not of the substance of the form of ordination, but he prefers not to argue the point, merely asserting that laying on of hands is apostolic and scriptural.

F. continues that presbyters have by divine law the power of ordination, just as they have that of preaching or baptising, but that under a bishop they would require a special commission to exercise it. Ambrose in Ephes. c. 4, Augustine [?] in quæst. ex utroque Test. q. 101.

Pars. II. On *Chorepiscopi*.

[Arguments and references omitted for want of space.]

The witness of scholastic theologians and canonists for ordination by presbyters.

More recently certain writers have attempted to appropriate to the Pope those powers which were formerly common to all bishops. Unable to deny the ordaining power of priests, but maintaining that Episcopal commission is required for its exercise, the Schoolmen and Canonists 'do not assert that priests can ordain by commission received from the bishop of the place, as was lawful at one time; but they say that priests who are not bishops can confer even the major orders if they have received a commission from the Pope.' So Aureolus, in 4 Sent. d. 24, art. 2, § *Secundo dico*: quoted by Capreolus, dist. 25, art. 2:

Gratian De consecr., d. 5, can. *Manus*, in glos. *irritum*. ; Decr. Greg. ix. De consecr. c. 4, *quanto*, in glos. *reservata*. ; Panormitanus, *ibidem*. Angelus de Clavasio, in Sum. v. *Ordo*, art. 2. From these F. argues that ordination is not so proper to the Episcopate that it cannot be delegated to priests, for even the Pope cannot dispense with divine law, according to Roman writers. But Petrus de Palude, quoted by Capreolus, *loco cit.*, only allows that the Pope can dispense a priest to administer confirmation and the minor orders, and Capreolus follows him in this. F. then discusses this. He afterwards proceeds to a full discussion of the long-received view that a heretical or excommunicated bishop confers valid orders, quoting Bonaventure and St. Thomas. This power cannot be taken away. But some do not grant this in the case of delegation to a priest, de consecr. dist. 5, glos. in can. *Manus*. But, again, it is allowed that the Pope cannot delegate the conferring of orders to a layman, hence the power is inherent in the presbyterate. F. goes on to discuss the difference between order and jurisdiction : he speaks of the presbyterate as the fundamental order which sent forth the others from itself, and for which they exist. Some offices pertain to presbyters individually, some collectively, the latter being exercised by a bishop or a presbytery ; preaching, baptising, celebrating the eucharist, reconciling penitents, are among the former, and each presbyter has plenary power, including both aptitude and execution ; confirmation, ordination, deposition, excommunication, etc., belong to the latter, the individual presbyter having aptitude, but the power of execution being lodged in the bishop or presbytery. Thus, while the individual, even if heretical, validly celebrates the eucharist, it is only by public authority of a collegium of presbyters that orders can be validly conferred in the absence of the bishop. F. explains that in apostolic times it seemed good to the Holy Ghost, for the taking away of differences, to give this power of public jurisdiction to one of the presbyteral college, and so the episcopate arose. F. says : ‘ The canonists say that ordination belongs to the episcopal order : we say it belongs to the presbyteral order, but that as far as power of plenary execution goes it belongs to the episcopal order ’ [p. 430]. Nevertheless, because episcopal *jurisdiction* is of divine right, the

episcopate may be called a holy order distinct from the presbyterate.

[NOTE.—A good deal is here omitted that F. says in answer to Bellarmine on the Papacy and on heretics, about the relations between bishops and presbyters, and ordination by heretics.]

Though ordination by heretics is valid, it is to be avoided. For authority resides among the orthodox minority, if the greater part of a local church fall into heresy. Hence, in such cases, if there be no orthodox bishop, the remnant of Catholic priests form the *collegium* in which persists the power of ordination, and under such necessity they validly ordain. That this was done by necessity and with no contempt of the canons the German Protestants maintained in the Apology of the Augsburg Confession, cap. de num. et usu Sacrament, art. 14. F. refers to cases of necessity when, contrary to the canons, single bishops consecrated bishops; as Palladius and Serf, acc. to John Major, loc. sup. cit. So Gratian, 67 dist. can. *Episcopus*.

Forbes concludes this part of his subject with a dialogue between 'a Papist and a Catholic' on the validity of ordinations in the reformed churches of Britain, wherein the question of supposed heresy and its effects bulks very largely [pp. 433-5]. After this he deals at great length with ordination by heretics, and with the Roman teaching on the priesthood and the eucharist.

Prop. XIV. On Moderators of Presbyterial *Classes* and on *Chorepiscopi*.

A bishop can divide the presbyters of his diocese, scattered over particular distinct districts, into certain classes, one for each district: and each of these classes can have its district præses; who is called Dean, or Chorepiscopus, or Visitor, περιουδευτής, Concil. Laodicen. can. 57, υς: Concil. Chalced. Art. 4, ubi de Caroso & Dorotheo, or in our manner, the moderator of the Presbytery or Presbyterial Classis.

[Discussion omitted for want of space.]

Prop. XV. On Metropolitans and Patriarchs.

The υπεροχή or eminence of metropolitans or archbishops and of primates or patriarchs over other bishops is of human law, and not improperly introduced by ecclesiastical custom. Every

particular, that is national, Church ought to preserve that liberty about all human arrangements unbroken, which we have shown to have been left by Christ, in chapters 3, 4, 5, 6, 7, 8, above, and every abuse must be carefully examined, and this will take place if some needful precautions be observed.

[Discussion omitted for want of space.]

Prop. XVI. On the Roman Pope.

[A very long Proposition, omitted for want of space, together with a very long discussion and an Appendix on Doctors.]

Forbes, like other writers of the time, as well Presbyterian as Episcopalian, appears to take ministerial continuity for granted. This seems clear, not merely from the way in which he uses the pre-Reformation writers, but from a reference to continuity in England which 'Catholicus' makes in the Dialogue with 'Papista.' It should be kept in mind that Apostolic Succession as such was not in controversy at the time between Episcopalians and Presbyterians, although it was afterwards acutely debated by both with the Independents. In Scottish theology, before the coming of the Independents, other issues seem to have excluded from discussion a question which neither side appears to have disputed. Questions like the orthodoxy of the ordainer and of mission and jurisdiction bulked much more largely in the thought of the day. The bearing of this on the theory of reordination is obvious.

For the Aberdeen Doctors as a whole, see the readable popular account, *The Aberdeen Doctors*, D. Macmillan, London, 1909.

P A P E R I V

BISHOP SAGE AND HIS ARGUMENT AGAINST
PRESBYTERY

By the REV. PROFESSOR COWAN, D.D., D.C.L., D.TH.,
Aberdeen

THE Right Rev. Bishop John Sage was born in 1652 at Creich in Fife. He belonged to a respectable family which had held property in the parish for seven generations. In the conflicts of the seventeenth century the Sages were steadfast royalists. The bishop's father served as captain in the regiment of Lord Duffus, Governor of Dundee; and he was quartered there when the town (now city) was besieged and taken by an army of the Commonwealth under General Monck.¹ The circumstances of the family were affected unfavourably by their devotion to the royal cause; and, like many others who suffered for their fidelity, they received little or no compensation for losses sustained. Captain Sage's diminished resources, however, did not prevent him from giving his son John a liberal education, and the boy showed both talent and diligence at Creich Parish School. He was sent, accordingly, at an early age to the University of St. Andrews, entered St. Salvator College, devoted himself specially to classics and metaphysics, and graduated with distinction as Magister Artium in 1669, at the age of seventeen.

His academic reputation speedily secured for him an appointment as parish schoolmaster at Ballingray in Fife, from which he was promoted ere long to a more important school in Tibbermuir, Perthshire. There he came under the notice of Mr. Drummond of Cultmalundie, who, finding the schoolmaster both a scholar and a gentleman, selected him as tutor for his sons, first

¹ See Memoir prefixed to the *Fundamental Charter of Presbytery*, in *Works of the Right Rev. John Sage* (Spottiswoode Society Publications.)

at home, and afterwards at Perth, when they became old enough to attend the academy there. Through this appointment young Sage was not only relieved of the comparative drudgery of parochial schoolwork, but formed desirable and profitable acquaintanceships, among others with Dr. Alexander Rose, then minister of Perth, and eventually Bishop of Edinburgh. Dr. Rose soon discovered in the young tutor a combination of thorough scholarship, attractive manners, and excellent character.

When his pupils reached an age suitable for a University curriculum, Sage accompanied them to St. Andrews. There his academic and social qualifications readily admitted him to the best circles. 'His piercing wit' (so writes his earliest biographer, Bishop Gillan), 'solid judgment, and pleasant temper endeared him to all the members of the University.' The University Library enabled him to add to his classical scholarship a full knowledge of theology and Church history, as well as of controversial and exegetical literature.

On the completion of his pupils' academic course Sage had to look out for other employment; and some time elapsed before a congenial sphere of life was opened up. It was at length provided through the friendly influence of Dr. Rose, who meanwhile had become Professor of Divinity at Glasgow University, and whose uncle, Dr. Arthur Ross, was Archbishop of Glasgow. The Archbishop took Sage on trial for Holy Orders, and in 1685, at the age of thirty-three, the latter was ordained as a presbyter, with the east quarter of Glasgow as his sphere of ministry. Soon after, he received the additional appointment of Diocesan Clerk.

On the eve of the Revolution further promotion was designed for him, namely the Chair of Divinity at St. Mary's College in St. Andrews University. The Archbishop of St. Andrews was Dr. Ross, recently translated from Glasgow, and on his recommendation a presentation in favour of Sage was prepared by the Government and despatched to King James for royal approval. By this time, however, His Majesty was already meditating flight, and the presentation was never completed. The personal respect with which Sage was regarded at this period, even by Presbyterians of extreme views, is indicated by the treatment

which he received at the time of the 'Rabbling.' The Rabblers were particularly active in the diocese of Glasgow, and many of Sage's clerical brethren were turned, without warning, out of manses and parishes.¹ Sage was treated with comparative consideration, although no one was more emphatic than he in controversial advocacy of episcopal government, and in enforcement of the duty of obedience to 'the powers that be.' The Rabblers gave him timely, and what was probably meant to be friendly, notice of what might happen to him if he did not retire from Glasgow. Accordingly, when the political situation rendered resistance impracticable, and when continued residence became neither safe for himself nor of use to the cause, he repaired to Edinburgh. He carried off the diocesan records containing an account of the ecclesiastical affairs of the diocese from 1581 onwards. No fair-minded person will censure him for this act. Had he not done so, valuable records might have been lost or destroyed. Moreover, the Episcopal party of that time, especially the clergy, were in hopes of Episcopacy being restored. William of Orange was known to favour at first the continuance of the ecclesiastical *status quo*, on the basis of general ecclesiastical toleration; and down to the date of Sage's death the hope of restoration was not extinct. The non-delivery, however, of the records to the Synod of Glasgow, for a century after the re-establishment of Presbyterianism, is difficult to defend (see Hew Scott's *Fasts*).

In Edinburgh, Sage at first assisted clergy who had not yet been deprived of their charges. When ministers, however, who declined to pray for King William and Queen Mary, or to take the oath of allegiance and submit to Presbyterian Church government, were deprived of their benefices, and interdicted from occupying their churches,² various meeting-houses were fitted up as places of worship; and in one of these, 'thronged' (so Bishop Gillan testifies) 'with people of best quality and sense,' Sage was invited to minister. At this time he inaugurated his work as an ecclesiastical controversialist by the publi-

¹ Sage himself describes the 'rabbling' in his *Letters* (anonymously published), entitled 'Account of the present Persecution of the Church,' and 'Case of the present afflicted Clergy.' Cf. Burnet, *History*, iii. p. 344.

² Grub, *Ecclesiastical History of Scotland*, iii. p. 300.

cation of his 'Account of the establishment of Presbyterian Church Government by the Parliament of Scotland.'

At first Sage and others appear to have been unmolested in their ministrations ; but the Privy Council believed, rightly or wrongly, that Episcopal congregations were sometimes associated with Jacobite conspiracies, and Sage was offered the alternative of taking the oath of allegiance to the new Government, or of discontinuing his 'meetings' and leaving the city.¹ He could not conscientiously take the oath ; and accordingly, in 1693, he departed from Edinburgh, and came to Kinross as the guest of Sir William Bruce, a staunch adherent both of the Stuart dynasty and the Episcopal polity. There was, also, at Kinross the congenial society of Henry Christie, the deprived minister of the town. Amid greater leisure Sage now occupied himself with the composition of his *magnum opus*, *The Fundamental Charter of Presbytery, as it hath been lately established in the Kingdom of Scotland, examin'd and disprov'd by the History, Records, and Public Transactions of our Nation*. The work was originally published anonymously at London in 1695. In the course of the same year his *Principles of the Cyprianic Age, with regard to Episcopal Power and Jurisdiction*, was issued in the form of a Letter to a Friend who had sent to Sage a work of Principal Rule of Edinburgh University, maintaining the thesis that a bishop in the time of Cyprian was not a *diocesan* bishop. This letter was printed by a friend of Sage, without the author's revision and sanction, and was answered by Principal Rule in a writing entitled *The Cyprianic Bishop examin'd and found not to be a Diocesan*. Sage then published, in 1701, his more elaborate *Vindication of a Discourse entituled the Principles of the Cyprianic Age*.

Notwithstanding the Privy Council's interdict, Sage ventured twice to go to Edinburgh. On the second occasion he narrowly escaped imprisonment. His host, Sir William Bruce, whose Jacobitism was notorious, had been apprehended on suspicion of correspondence with the exiled royal family, and was confined in Edinburgh Castle. Sage resolved to get access to him ; but the authorities were on the watch ; not unnaturally they regarded what was probably meant to be no more than a visit of sympathy

¹ Memoir prefixed to *Fundamental Charter of Presbytery*, p. xlii.

as a link in the chain of some Jacobite plot. Orders were accordingly given to search for and arrest Sage who, however, eluded his would-be captors, escaped from Edinburgh, and hid himself, for some months, under the name of Jackson, 'among the hills of Angus,' until Sir William Bruce, against whom nothing was proved, had been set at liberty. Soon after this episode he became chaplain to the Dowager Countess of Callendar, granddaughter of the famous Marquis of Montrose, the duties of the office being associated with those of tutor to her son, the Earl of Linlithgow. Subsequently (when the Earl's education had been completed) he became chaplain to Sir John Stuart of Grandtully.

On the accession of Queen Anne in 1702 a movement was inaugurated for obtaining the full toleration of episcopal services. The Queen intimated to the Privy Council her desire that 'Episcopalians who submitted to the laws should be protected in the peaceful exercise of their religion'; and the Earl of Strathmore proposed in Parliament that such toleration should be accorded to all Protestants. The General Assembly opposed this concession 'in the present circumstances of Church and Nation,' and the proposal was not pressed; but a pamphlet by Sage on this occasion, entitled *Reasonableness of Toleration*, in answer to *Reasons against Toleration*, by George Meldrum, Moderator of the General Assembly in 1703, helped notably not only to diminish the prosecution of those who contravened the intolerant statute, but also to educate the mind of the country, and to pave the way for the Toleration Act of 1712.¹

By 1705 the number of Scottish bishops had been reduced to five, of whom three were partially disabled through ill-health or old age; it became necessary to preserve the episcopate from extinction. The surviving bishops selected two presbyters for that purpose: John Fullerton, the ejected minister of Paisley, a man of acknowledged worth, and John Sage. On the Festival of the Conversion of St. Paul, in 1705, they were quietly consecrated in a house at Edinburgh by Archbishop Paterson of Glasgow, Bishop Rose of Edinburgh, and Bishop Douglas of Dunblane. The two new bishops, however, were invested with no diocesan sphere or status, nor any official share in the

¹ Grub, iii. pp. 345-6.

government of the Church, lest the sovereign's privilege of nomination should appear to be interfered with or ignored.¹ Bishops Sage and Fullerton were thus, so far, in a similar position with bishops in the ancient Columban Church, possessing the rights of consecration, ordination, and confirmation, but without jurisdiction, see, or revenue. There is something pathetic in the Right Rev. Bishop Sage, as he now was called, returning, after consecration, to Grandtully to fulfil the humble duties of chaplain, yet ready, when required, to minister to the membership of (from his standpoint) a disestablished Church, and to ordain the pastors of an attenuated flock, while looking forward with wistful eye to a time when the rightful sovereign and the rightful Church would alike come to their own.

In November 1706, less than two years after his consecration, the bishop, while on a visit to Mr. Christie at Kinross, was seized with paralysis. He recovered from what at first seemed mortal malady; but it was the beginning of the end, although death did not ensue for five years. He availed himself of the medicinal waters of Bath, and remained there for nearly a year, including time spent in visits to London. In both places he received much kindness from English Churchmen, particularly from non-juring clergymen, who, like himself, had suffered for their convictions, and appreciated his spirited championship of a 'disestablished Church' and his steadfast loyalty both to Episcopacy and to the Stuart dynasty. After his return to Scotland he had the satisfaction of taking part in the consecration of his friend Henry Christie as bishop in 1709. He also undertook, at this period, further literary labour, of a historical rather than controversial character—a *Life of Gavin Douglas*, published in 1710, and an *Introduction to Drummond of Hawthornden's History of the Five Jameses*, in concert with Ruddiman, the illustrious classical scholar. This literary activity appears to have been too great for his already impaired physical strength, although there was no diminution of mental power. His end was not sudden, but the outcome of the gradual decay of a bodily frame never robust, and latterly enfeebled by malady. He died in Edinburgh—no longer an interdicted abode—on the 17th June 1711, in the sixtieth year of his age. His body was interred in

¹ Grub, iii. pp. 347-8.

Greyfriars' Churchyard, where lie the mortal remains of notable Covenanters and Anti-Covenanters. The burial service was appropriately conducted by his now aged friend and original patron, Bishop Rose.

John Sage commanded, in his life, and still commands universal respect on account of his wide learning, particularly his intimate acquaintance with early Church Fathers, whose testimony, when harmonious, he loyally accepted; on account, further, of his amiable and devout character, which was only superficially impaired by an asperity in his writings characteristic of the controversial literature of his age; above all, on account of his thorough integrity and consistency, alike in the political and in the ecclesiastical sphere, united with a disinterested and chivalrous devotion, amid an environment of trimming and time-serving, to the cause in which he firmly and intensely believed.

Bishop Sage's two chief works are (1) *The Fundamental Charter of Presbytery in the Kingdom of Scotland examin'd and disprov'd.* (2) *Vindication of the Discourse entituled the 'Principles of the Cyprianic Age.'*

(1) This treatise takes as its text Article XXII. of the 'Claim of Right,' in which, at the Revolution, the Convention of Estates set forth the grievances of the Scottish people, and assigned reasons for declaring the Crown of Scotland vacant. The 'Claim' adopted by the Convention in April 1689, was endorsed by the Scottish Parliament in July of that year. By Article XXII. Prelacy was abolished, and thereafter, in June 1690, on the basis of that Article, Presbyterian Church government was established. The terms of the Article are as follows:—

'That Prelacy and the Superiority of any Office in the Church above Presbyters is and hath been a great and insupportable grievance and trouble to this nation, and contrary to the inclinations of the generality of the people, ever since the Reformation, they having been reformed from Popery by Presbyters, and therefore ought to be abolished.'

In criticising this Article, Bishop Sage institutes the following five inquiries:—

1. 'Whether the Church of Scotland was reformed solely by persons clothed with the character of Presbyters?'

In answer, the author shows that certain prelates *concurred* in the Reformation, as well as Presbyters (p. 99). He uses the word 'prelate' so as to include not only two bishops (those of Galloway and the Isles), but certain abbots who embraced the Reformation, and even Subprior Winram. The Article, however, does not claim that the Reformation was affected *solely* by Presbyters; it implies no more than that Presbyters took the leading part, as distinguished from clerics holding a superior office; and this statement is substantially justified (1) by the fact that the six Johns,¹ headed by Knox, who drew up the Reformed Confession and the Book of Discipline, were all Presbyters; (2) by the fact that the Scottish Episcopate, as a whole, immediately before the Reformation, and particularly the bishops of most influence, were notoriously against the Reformation movement; while the two who concurred with it cannot be said to have taken a *leading* part in it.

2. 'Whether our Scottish Reformers, whatever their characteristics, were of the present Presbyterian principles? Whether they were for the divine institution of parity, and the unlawfulness of Prelacy, among the pastors of the Church?'

In reply to this inquiry (1) the Bishop has no difficulty in showing that Knox himself and other founders of the Reformed Scottish Church did not hold 'the unlawfulness of Prelacy' (pp. 105-17). But neither the Article which the Bishop assails, representing the principles of the Parliament of 1689, nor any declaration of the succeeding General Assembly representing the convictions of the Church and her officebearers as a whole, maintains that Prelacy is unlawful, although not a few individuals, both clerical and lay, in the Church of the Revolution may have done so. (2) It is quite true, as the Bishop shows, that Knox and his fellow-Reformers instituted, even if only temporarily or tentatively, the office of Superintendents, who had supervision over provinces and some episcopal prerogatives (pp. 181-86). Knox and his colleagues even acquiesced (although in his own case, at least, with misgivings) in the restoration of the Episcopate, with certain limitations, by the Concordat of Leith. But these

¹ Knox, Row, Willock, Winram, Spottiswoode, and Douglas.

Superintendents and early Protestant bishops were subject to the discipline and jurisdiction of the General Assembly, the supreme Court of the Church, in which every member had an equal vote ; so that Prelacy, in the sense of hierarchy or supreme government of the Church by a superior order of clergy, was renounced ; and the essential parity of ministers was then little more impaired than it has been in later times by the institution of Moderators of Church Courts, and of special Commissioners of the General Assembly, often with extensive powers.

3. ' Whether Prelacy, and the superiority of any office in the Church above Presbyters, was a great and insupportable grievance and trouble to this nation, and contrary to the inclinations of the generality of the people, ever since the Reformation ? '

In giving a negative answer, Bishop Sage adduces (1) Spottiswoode's testimony regarding the respect paid to Superintendents, whom he designates ' prelates ' (p. 299) ; (2) the introduction of Episcopacy by the Assembly of 1610 ' with very great unanimity,' and the peaceful submission to it by ministers and people ; (p. 300) ; (3) the fact that the tumults after the Perth Assembly of 1618 and the riot of 1637 arose not owing to Prelacy, but on account of the Perth Articles and ' Laud's Liturgy ' respectively (pp. 301, 305) ; and that the signatures of many who never contemplated the overthrow of Episcopacy were secured for the Covenant (p. 352) ; (4) the fact that Presbyterians between 1610 and 1638 did not think of secession from the Episcopal Church, and that even in 1662, and ' for some years after,' Presbyterians generally (both pastors and people) ' joined with the conformists in public ordinances ' (p. 304).

It may be granted that the language of the Article describing Prelacy as ' an insupportable grievance *ever since the Reformation* ' is too strong. Episcopacy, even when disapproved, was not regarded as ' insupportable,' except when it was accompanied by despotic interference (as under Charles I.) with the worship of the people, or (as under Charles II.) by cruel persecution of nonconformists. But the strong popular as well as clerical opposition to Prelacy, not indeed as it might have been, but as it was, at various periods, between the accession of James VI. and the supersession of James VII., is attested by the continuous kingcraft of James VI. in undermining Presbyterianism and

in dictating to Presbyteries the choice of delegates to General Assemblies;¹ by the popular and effective support given to Covenanters, except in particular districts, and continued *after* their anti-prelatical policy had become manifest; and by the necessity which the Government pleaded, between the Restoration and the Revolution, of putting down Presbyterian Nonconformity, if it were to be overcome at all, through continuous military coercion, cruel treatment of prisoners and conventiclers, and the practice of mediæval tortures.²

4. 'Whether Prelacy, and the superiority of any office in the Church above Presbyters, was a great and insupportable grievance, and contrary to the inclinations of the generality of the people when this Article was established in the Claim of Right?'

In answering this inquiry, Bishop Sage is correct in declaring that the Scottish leaders of Revolution 'never so much as once offered polling of the people about' the question (p. 314). There was no referendum.

But the Parliament which abolished Prelacy and restored Presbyterianism included authorised commissioners from the boroughs and counties; and when these commissioners were chosen, it was well known that one of the main questions to be discussed was that of the government of the Church.³

5. 'Whether supposing the Affirmatives in the preceding inquiries had been true, they would have been of sufficient force to infer the conclusion advanced in the Articles, viz. that Prelacy, etc., ought to be abolished?'

On this point the bishop reminds his readers that 'the Reformers, in all their petitions for reformation, made the Word of God, the practice of Apostles, and the catholic sentiment and principles of the primitive Church, and not the "inclinations of the people," the Rule of Reformation' (p. 334). On the principle of the Article, 'I cannot see,' he writes, 'how any Church could ever have been reformed from Popery'; for when Reformers began their work, they had 'the inclinations of the people generally' against them. To this contention the answer

¹ Calderwood (who quotes the King's letter to Presbyteries), vii. p. 92; vi. p. 602.

² Grub, iii. pp. 258, 262, 280; Cunningham, ii. p. 147; Law's *Memorials*, pp. 152-69; Burnet's *History*, ii. pp. 14-22.

³ Cunningham, *History of the Church of Scotland*, ii. p. 159 ff.

may be given that the substitution, at the Revolution, of Presbyterian for Episcopal Church government did not involve any conscious disloyalty to Holy Scripture, or departure from Apostolic injunction and earliest Christian usage; and that in cases where no divine authority is contravened, it was held to be permissible for the Christian people or their authorised representatives to determine procedure.

To many the most interesting part of this work of Bishop Sage is that in which (at the close) he seeks to show that the Presbyterians of his own day had 'notoriously deserted the principles of the Scottish Reformers.'

If we substitute practices for principles, and make allowance for what was frequent being sometimes represented as general, the majority of the allegations here made are substantially confirmed from other sources. As to Faith, the original Reformers' Confession was superseded in the seventeenth century by that of the Westminster Divines—a confession which, however superior in logical precision, is inferior in breath, warmth, and suitability as a standard. It is quite true, as Bishop Sage declares, that 'many things are minutely, precisely, and peremptorily determined' in the Westminster Confession which 'our Reformers thought fit (as was indeed proper) to express in very general and accommodable terms' (p. 348). In our own day, through the relaxation of the formula of subscription, this drawback is so far neutralised.

As regards worship and usages, Bishop Sage correctly charges 'modern Presbyterians with the disuse of the Reformers' Book of Common Order' (p. 352). 'Our Reformers, moreover, never met for public worship but they used the Lord's Prayer once or oftener'; 'our present Presbyterians not only do not use it, but they condemn the using of it.' 'Our Reformers,' he continues, 'never omitted to make public confession of their faith by rehearsing the Apostles' Creed: herein they are deserted by our present Presbyterians.' 'Our Reformers,' he further observes, 'judge it most expedient that the Scriptures be read in order'; but 'now . . . the Man of God must read no more than he is just then to interpret.' As to preaching, the bishop reminds his readers that according to the First Book of Discipline, 'before noon the Word must be preached; after noon

the Catechism must be taught'; but now, in accordance with an Act of the Assembly of 1580 ('the same General Assembly which condemned Episcopacy') ministers are to 'travel with their flocks to convene unto sermon after noon' (pp. 356-57). As to Praise, 'our Reformers,' the bishop declares, besides the Psalms of David, used several other hymns in metre, and 'never used to conclude their Psalms without some Christian doxology.' 'Yet now,' he continues, 'nothing is in use with our present Presbyterians but the Psalms of David,' while 'the Gloria Patri is a scandal to them' (pp. 357, 358). Again, formerly, 'when people entered the Church, they uncovered their heads and generally put up a short prayer to God.' 'Nowadays it is plain superstition to a Presbyterian *not* to enter the church with his head covered' (p. 360). As to the Lord's Supper, the author instances the less frequent administration of the holy ordinance as compared with the usage of the early Reformed Church; the intrusion of fast days, as well as Saturday and Monday services in connection with the Communion; the presence of numerous 'assistant ministers' ('six, seven, eight, ten, or twelve') 'leaving their own churches empty'; equally numerous tables ('sometimes, ten, twelve, fourteen'); a 'long, long sermon' ('sometimes three hours'), followed by 'long exhortations' at the tables, instead of the 'reading of comfortable places of Scripture,' the service being concluded with another 'long harangue' from the pulpit (pp. 362-65). Such are some of the many practices in regard to which the author charges 'modern Presbyterians' with having 'deserted our Reformers.'

It will be seen that in most of the cases referred to, the still more 'modern Presbyterians' of our own day have returned to the usages of earlier times.

(2) *Vindication of a Discourse entituled 'The Principles of the Cyprianic Age' with regard to Episcopal Power and Jurisdiction.*

The aim of this work is to prove that Episcopacy is not 'a late innovation which prevailed not in the first three centuries,' but a form of Church government 'fully established in the Age of Cyprian'; and the author regards this as evidence of the apostolic and therefore divine authority of diocesan Episcopacy on the following grounds:—

1. In the Cyprianic Age there were 'no secular temptations

to aspire to the episcopal pre-eminence': on the contrary, to be then an eminent governor of the Church was to 'expose one's person to the first brunt of fiery trial' (i. 30). 2. It was an 'age of much ecclesiastical business,' when 'divers questions concerning discipline and polity were ventilated' at 'frequent synods and convocations,' and when there were many 'great men' and 'excellent records'; so that there was no likelihood of any important ecclesiastical question not being thoroughly discussed (i. 31-33). 3. In the Cyprianic Age 'extraordinary manifestations and communications had not ceased of the Divine Spirit,' which had 'directed the Apostles in constituting the government of churches' (i. 34). 4. Christians of this age were 'not so far removed from the times of the Apostles but that they might very well have been acquainted with the government in which the Apostles left the churches.' 'From the death of the Apostle St. John to Cyprian's promotion to the see of Carthage was only . . . at most one hundred and fifty years' (i. 35). Now the 'Christians of the Cyprianic Age were particularly bound both by principle and by interest to have observed and resisted substantial innovations in the government of the Church'; and 'one hundred and fifty years was not so long a time as to admit of any hazard of being deceived,' especially as they had the guidance of 'all the canonical books of Scripture,' 'extraordinary manifestations and direction of the Spirit,' the writings of early Church fathers, and 'catalogues of bishops handed down from the very first foundation of those sees' (i. 37-43). Moreover 'the distance from the Apostles was not so great but that they might very well have trusted oral tradition' as to the form of government instituted by the Apostles. 'Thus Irenæus (fl. 180 A.D.) was so much contemporary with Polycarp and Pothinus that he not only might, but actually did learn from them what form of government the Apostles settled in the Churches'; Polycarp being 'consecrated Bishop of Smyrna' by the Apostle John, and Pothinus being 'aged twenty-three when St. John died' (i. 44, 45).

The author proceeds to enumerate and to quote from 'many learned Presbyterians' (including Calvin, Beza, Bucer, Amyraldus, Turretin, etc.) by whom Episcopacy was 'acknowledged to have been in the Church in St. Cyprian's time' (iii.); and he

then deals with three 'subterfuges' as he calls them, of Principal Gilbert Rule, his opponent in controversy. 1. Even if in the Cyprianic Age there was 'a kind of Episcopacy,' it was not 'true Prelacy' (Rule maintains), not such as is 'pleaded for by Scottish prelatists'; in particular not such as 'lodges the sole power of ordination and jurisdiction in the bishop's person' (iv. 1). Our author repudiates the notion that 'they who in Scotland do stand for Episcopacy' assign 'the *sole* power of ordination and jurisdiction to the diocesan bishop *without concurrence of the presbyters*'; he claims for the bishop only the '*chief* power' (iv. 10, 11). In this connection Sage distinctly disowns the authority of the 'Book of Canons' of 1635, which Rule had quoted, but which (Sage contends) never 'took effect in the Church of Scotland,' having been 'enjoined only by royal authority, never by authority properly ecclesiastical,' and 'never insisted on by our bishops since the restitution of episcopal government in 1662' (iv. 12).

The author proceeds to show that while in Cyprian's time the sole power of ordination was accorded to the bishop, he did not possess the sole power of jurisdiction; and he adduces evidence that the limitation of episcopal power, as regards both ordination and jurisdiction, so as to recognise as indispensable 'the consent of the pastors (*i.e.* presbyters),' was held by many Episcopalians, including James VI., Bishop Cowper, Archbishop Spottiswoode, Dr. Forbes of Corse, Bishop Burnet, Archbishop Whitgift, Bishop Hooker, and Archbishop Ussher (iv. 27-52). 'The true state of the controversy' therefore, Sage contends, is not whether the Church should be ruled by bishops having sole power, but whether the Church should be 'governed by pastors acting in parity, having equal power without superiority of one pastor over others' (iv. 102). Is it the case that the highest Court of Appeal, in some Episcopal Churches at least, is entirely composed of bishops?

2. Principal Rule's second alleged 'subterfuge' is that, even granting a kind of episcopacy in the Cyprianic Age, 'the bishop had simply more dignity, not more power' (v. 1). 'The presbyters had equal power with him (the bishop) in Church government.' In answer to this, Sage quotes the remarkable expression (for that time) 'delivered by the Apostles to us their

successors' (Ep. 45), and various passages in which *auctoritas*, *potestas*, and *licentia* are attributed to the bishop in such connection as to imply a position superior to that of simple presbyters. *E.g.* Cypr. Ep. 59, where Carthaginian schismatics are said to be condemned by 'the authority of the African bishops,' and where also Cornelius, Bishop of Rome, is warned that to listen to Felicissimus (a presbyter) is to throw up the 'vigor' of Episcopacy, and its 'sublime and divine power of governing the Church' (v. 25, 26); Ep. 16, where he (Cyprian) speaks of 'Presbyters not mindful of their own station, nor regardful of the bishop now placed in a position of superiority (*præpositum*) to them; Ep. 55, in which 'sublime sacerdotii fastigium' is ascribed to the bishop (vi. 35); and Ep. 69, where he refers to a presbyter as 'not having the licentia of baptizing.' Cyprian's contemporaries, Firmilian (Ep. 75) and Cornelius (*Eus.* vi. 43), are also adduced as testifying that the 'potestas baptizandi et confirmandi' belonged to bishops (vi. 62, 106). In the controversy about the validity of baptism by heretics between Cyprian and Stephen of Rome, 'the bishop's sovereign interest in baptism was (pre)supposed by both parties' (vi. 74). The episcopal *auctoritas* is further attested by Cyprian in Ep. 69, where he writes, 'Every bishop may make statutes, if he thinks fit, within his own district,' *i.e.* on matters undetermined by the Word of God, the canons of the Church and the common authority of the province (vii. 6). On one occasion, when five out of eight presbyters voted against Cyprian in a case of discipline, and persisted in their opposition, he excommunicated the five, thus reserving to himself a veto (vii. 11). At the time of his appointment to the see of Carthage, however, Cyprian expressed his 'determination to do nothing without the advice of the presbyters and the consent of the people' (Ep. 71).

3. Principal Rule's third alleged 'subterfuge' is expressed by himself as follows (Cypr. Bish. Examd., sec. 48): 'Presbyters in Cyprian's time were of three sorts. 1. The ruling elders who were no preachers, and who with the bishop (or parish minister) and other preaching presbyters (if there were any) made up the consistory by which the affairs of the congregation were managed. These could administer no sacrament, neither without **nor with**

the bishop's licence. 2. Presbyters who were ordained to the work of the ministry, but had no particular charge; these 'might not baptize nor administer the Eucharist without the allowance of the bishop or parish minister.' 3. The ministers of the several parishes' (to whom the designation 'bishop' was given). Principal Rule thus regarded the constitution of the Church in Cyprian's time as substantially the same with what is now found in Presbyterian Churches.

Regarding class 1, Sage maintains that there is a 'profound silence about such ruling (but not preaching) elders in St. Cyprian's works and time' (viii. 6); he quotes with approval the words of Archbishop Whitgift, 'I deny that this office of Seniors is *commanded* anywhere in the New Testament' (viii. 9); and he contends that 'seeing the powers of preaching and governing are inseparable,' 'ruling elders' cannot 'have the latter,' when it is confessed they have not the 'former' (viii. 24). Sage refers to (somewhat contemptuously), but does not discuss, the argument in favour of ruling, but non-preaching 'elders' or presbyters drawn from 1 Tim. v. 17. This passage seems to be illustrated by Chrysostom, who states (Hom. 1 Cor. iii.) that even in his day teaching was allocated to the wiser presbyters, and also perhaps by Cyprian (Ep. 29) who speaks of 'Presbyteri doctores,' an expression from which Lightfoot holds (Com. on Philip, p. 193) that 'it may perhaps be inferred that even then the work of teaching was not absolutely indispensable to the presbyterial office.' Regarding class 2, Sage denies that such persons are to be found 'in any monument of the Cyprianic Age,' and he doubts the existence of such 'unfixed presbyters.' In any case he maintains that they cannot affect the argument in favour of diocesan Episcopacy, 'so long as the bishops of that age had a real, true, and proper superiority over presbyters that were as much fixed as it is possible for presbyters to be' (viii. 4, 5).

In Chapter ix. Sage deals with Principal Rule's contention that if a bishop superior to presbyters be necessary to establish a centre of local unity, so also must a pope, superior to bishops, be necessary to establish a centre of universal unity. 'He can say little for his bishop,' writes Rule, 'but what they (the Romanists) say for their Pope' (ix. 4). Sage's contention in reply is

that the College of Bishops is the principle of unity for the Catholic Church ; but that the principle of unity for the College of bishops is not the Pope, but Christ Himself—‘ the Shepherd and Bishop of our souls.’

In the concluding chapter of the book, Sage endeavours to prove the ‘ divine right ’ of Episcopacy. He adduces passages from Cyprian’s writings to show that he believed in a ‘ special Providence in the promotion of bishops to their chairs ’ ; in a special ‘ divine protection and vindication of faithful bishops ’ ; ‘ God honouring bishops with extraordinary revelations for their direction and encouragement ’ ; and in ‘ rebellion against ’ and ‘ separation from a bishop ’ being transgressions of the divine law ’ (x. 4-13). There can be no reasonable doubt that Cyprian himself was persuaded of the divine right of Episcopacy, although it is difficult to discern the relevancy of the passage of Scripture on which he chiefly bases that divine right, viz. the words of Christ to Peter in Matthew xvi., ‘ Thou art Peter, and upon this Rock I will build my Church.’ Sage also claims Origen as testifying to the divine right of Episcopacy, on the ground of this passage from his twentieth homily on St. Luke, ‘ Shall I not be subject to the Bishop who is of God ordained to be my Father ? ’ But the words which follow, ‘ Shall I not be subject to the Presbyter who by the divine vouchsafement is set over me ? ’ seem to indicate that what Origen means to uphold is the divine right neither of the Episcopate nor of the Presbyterate, *exclusively*, but the divine right of any one set over us by God to receive our loyal subjection.

In this work on the Cyprianic Age, Bishop Sage appears to have amply proved, what is now generally admitted, that by the time of Cyprian, diocesan Episcopacy, substantially as it exists at the present day in Episcopal Churches, was firmly established in Christendom, was generally recognised as the right form of Church government, and was regarded by many as a system possessing ‘ divine right.’ On the other hand, he does not seem to me to produce cogent evidence of such divine right or of any authoritative apostolic injunction of Episcopacy in the later than New Testament sense. The absence, in the Cyprianic Age, of ‘ secular temptations to aspire to episcopal pre-eminence,’ and the peril which such pre-eminence then

involved, are quite compatible with mistaken, although chivalrous, ecclesiastical ambition. The fact that questions about Church government were much discussed by great minds in the third century does not prove the inerrancy of those by whom Christendom was guided. The 'extraordinary revelations' of the divine will claimed by Cyprian or attributed to him, even assuming their reality, cannot, unless they be held to involve his infallibility, be regarded as relevant to the subject under discussion. It may be granted that the interval of a century and a half between the close of the Apostolic Age and Cyprian's episcopate is not long enough to account for a *revolutionary* change of Church government to have been accomplished without any definite memorials of such a revolution and of the accompaniment of conflict being preserved; but the interval is quite long enough for a gradual and peaceful evolution of diocesan Episcopacy, amid circumstances favourable thereto, out of an original ministerial parity. Such parity seems to be indicated in the New Testament (apart, of course, from the extraordinary authority of the Apostles) by the records of the foundation of churches, and by the fact that the names Presbyter and Episcopus appear to be applied (as in Acts xx. 17, 28; Titus i. 5, 7; 1 Tim. iii. 1-7, cf. Tit. i. 6-9) to the very same individuals, even although the names may be derived from somewhat different qualifications, or *may* relate, in part, to different yet kindred functions (Jerome, *Ep.*, 69, 146; Lightfoot, *Phil.*, 94, 95; Sanday and Harnack in *Expositor*, 3rd series, v.; Gwatkin in *Hastings' D.B.*, i. 301, 302).

Such gradual development of a diocesan mono-episcopate appears to have taken place, from the following circumstances and considerations.

1. While there is no distinct mono-episcopate in the period covered by the New Testament, the way may have been prepared (without special design) for such a development through the *temporary* supervision entrusted by St. Paul to Timothy in Ephesus, and to Titus in Crete; and also through the presidency accorded to St. James at Jerusalem; although there is nothing in that presidency, apparently, beyond what belongs to a presbyterial moderator, while precedence would naturally be given to St. James as the Brother of our Lord, and

as in some sense an Apostle, the only Apostle probably, who was permanently located in Jerusalem (krinō in Acts xv. 19 may mean only 'my decided opinion is').

2. It is also not improbable that St. John, during his long residence in Asia, may have commissioned Polycarp and others to act in his name, in various parts of the province of Asia; but no stress can be laid on the statement of Clement of Alexandria (*Rich Man*, c. 42) that St. John appointed 'bishops' in various places; since the record of his appointment of bishops in the N.T. sense (conterminous with presbyters) might easily grow, by the time it reached Clement, towards the end of the second century, into a statement that bishops in the *later* sense were thus ordained. Interpretations of the 'Angel' in Rev. ii., iii. are various and doubtful.

3. No definite testimony to a mono-episcopate seems to exist until the time of Ignatius of Antioch, whose letters, if wholly genuine (in the shorter Greek Recension), belong to the first quarter of the second century, and even, if not entirely his, to a date not later than the middle of that century. The Ignatian testimony is both distinct and suggestive. It proves that by this time there was a permanent mono-episcopate in the provinces of Asia and of Syria. On the other hand (1) this mono-episcopate must, in many cases, have been only congregational; for Polycrates of Ephesus, in the end of the second century, writes of a 'great throng' (polla plēthē) of bishops being with him, and of seven relatives of his own being fellow-bishops (*Eus., Hist.*, v. 24). Church extension, through the missionary labours of bishop and presbyters, would gradually cause the parish or congregation to grow into a diocese. (2) The episcopate is never stated by Ignatius to have been instituted either by Christ or by His Apostles, although it would have served the purpose of Ignatius well to have testified to such authoritative institution. (3) There is evidence that in the time of Ignatius mono-episcopacy, even at the congregational stage, was not universal. It does not seem to have yet existed even in Rome, where it might have been expected that a 'monarchical form of government would be developed more rapidly than in other parts of Christendom' (Lightfoot, *Phil.*, p. 215). Irenæus, indeed (180 A.D.), gives a list of early

‘bishops’ of Rome (iii. 3), from Linus, the contemporary of St. Paul, downwards; but each of the earlier in the list, as Lightfoot suggests (*Phil.*, 218), might be ‘rather chief of the Presbyters than chief over them.’ For Ignatius, who in his other six epistles is the constant and persistent champion of the claims of bishops to obedience, ‘makes no allusion’ in his letter to the Romans to the existence of the episcopal office among his readers. With equal significance the friend of Ignatius, Polycarp, who is described as Bishop of Smyrna, when writing, after Ignatius’ death, to the Philippians about the mutual duties and responsibilities of Church office-bearers and Christian people, refers in detail to presbyters and deacons, yet writes not one word about a bishop. We conclude not only that there was then no bishop at Philippi, except in the New Testament sense, but that Polycarp, the disciple of St. John, who must have known that Apostle’s mind on the subject, saw no reason for enjoining the Philippians to appoint such an official.¹

4. There is a natural tendency towards centralisation; and one can readily imagine how in primitive Churches one member of the Court of Presbyters would often become so noted for administrative ability as to be habitually called on to preside at the meetings; and how gradually he himself, or his successor similarly singled out, would come to be regarded as an official of a superior order. The term *episcopos*, originally conterminous with presbyter, would then, owing to its more direct suggestion of superintendence, be naturally reserved for the presbyter thus elevated.

5. Two special reasons, peculiar to that age of the Church (the period between the close of the Apostolic Age and the time of Cyprian), fostered the development of the mono-episcopate:

¹ In 96 A.D. Clement of Rome wrote to the Corinthian Christians, in order to persuade them to restore some presbyters who had been unjustly extruded. Surely, had there been then a bishop at Corinth (in the post-New Testament sense), Clement would have appealed or at least referred to him: yet no such person is indicated. Clement’s comparison (Ep. to Cor. 40) of the Christian ministry to the Jewish hierarchy of High Priest, Priesthood, and Levites is held by some to indicate the threefold ministry of Bishop, Presbyter, and Deacon; but the analogy (it may be replied) need not mean more than that both ministries are characterised by orderly assignation of particular functions to particular officials. (See context.)

(a) the numerous cases of lapse amid hot persecution, and the ecclesiastical necessity of a harmonious administration of discipline and system of absolution throughout Christendom. Harmony among a limited number of bishops was obviously easier of attainment than harmony among innumerable presbyters. (b) The necessity of effective resistance to schismatics and heretics. Ignatius indicates this latter reason by his frequent association of the duty of submission to the bishop with the avoidance of schism and heresy (Ign. *Trall.*, 6, 7; *Phil.*, 2); and Jerome, in the fourth century, expressly testifies to the same effect. 'In course of time,' he writes, 'one presbyter was elected to preside over the rest, as a remedy against schism, so that each man might not, by drawing a portion of the Christian community to himself, break up the Church of Christ' (*Epis.*, 146). Similarly elsewhere he writes: 'With the ancients presbyters were the same as bishops: but gradually all their responsibility devolved on a single person, that the thickets of heresy might be uprooted' (*Com. on Titus*, i. 5). Amid the heresies, Gnostic and otherwise, which overspread the Church, especially in Syria and Asia Minor, in the end of the first and the beginning of the second century—heresies all professing to be based on apostolic doctrine—the need arose for some definite and tangible standard of appeal. At a later date the New Testament Canon served this purpose; but at an earlier stage no recognised Canon existed, and, besides, heretics often claimed to rest their doctrinal systems on oral apostolic teaching. Hence the felt need, at the juncture when Apostles had passed, or were passing, away—the need of a *depository* of genuine apostolic tradition and doctrine to which appeal might be made. Where was such depository to be found except in cities where Apostles or their associates had laboured? But even there, different presbyters might give different testimony as to what true apostolic doctrine had been; hence the need of *unifying* the apostolic deposit in a single representative personage, who could testify *ex cathedrâ* as to what, in his city or district, had really been apostolically taught. Thus the bishop (in the post-New Testament sense) was believed to be required in that age, especially in Western Asia, in order to embody apostolic tradition in a recognisable form;

and the felt want appears to have engendered or developed the appropriate supply.

While the mono-episcopate *may* have received the sanction of St. John, and even of other surviving disciples, in the closing years of the Apostolic Age, there is no evidence of its having been *enjoined* by Apostles, much less by our Lord Himself, as *the* one, only, legitimate form of Church government. ‘Therefore,’ writes Jerome, ‘let bishops be aware that they are superior to presbyters *more owing to custom than to any actual ordinance of the Lord*’ (Jer. on Tit., i. 5); and Augustine similarly declares that such titles as those of bishop the *practice* of the Church has now made valid (*Epis.* lxxxii. 33; see Lightfoot on *Phil.*, p. 228).

Thus, as regards forms of Church government equally with forms of Church worship, the Apostles appear to have put no constraint on Christian communities, but to have allowed much free development in each district, in accordance with local circumstances and needs of the time.

PAPER V

BISHOP CHARLES WORDSWORTH AND THE UNION
OF THE CHURCHES

By CANON COWLEY-BROWN

CHARLES WORDSWORTH, Bishop of St. Andrews, comes before us not only as a scholar and a divine, but what is more interesting to us in connection with the subject of Christian Unity, as the more recent Protagonist of that movement in this divided land. It must, of course, be remembered that there have been previous efforts after unity in Scotland. Lord Rollo, Dr. Robert Lee of Greyfriars, Dr. Rorison of Peterhead, the Rev. Dr. Macvicar, and other good men in both the Churches, made in 1864 a praiseworthy attempt. This paper, however, is only concerned with Bishop Wordsworth's share in the good work.

All other details of his long and strenuous life, his distinguished career at Oxford, his labours as Second Master of Winchester College, and afterwards First Warden of Glenalmond, as well as those more immediately connected with his episcopate, must now be passed by in order to bring into prominence his untiring efforts towards the promotion of Christian Unity in Scotland, to which he devoted his very considerable powers.

Macaulay in his *History* (iii. 257) dwells complacently on what he considers the advantage of having two Churches in one Kingdom. He says: 'The Union accomplished in 1707 has indeed been a great blessing because, in constituting one State, it left two Churches.' And again (*Essay on Church and State*): 'The nations are one because the Churches are two.' To this may be opposed the words of Goldwin-Smith: 'The State, led by political exigencies, accepted at the union with Scotland the absurd and fundamentally sceptical position of establishing one religion on the north, and another on the south of the Tweed.' Bishop Wordsworth (*Scottish Church History*, p. 37)

points out one result of 'this ecclesiastical biformity. . . . It started with the anomaly that Scotch Presbyterians were henceforth to be admitted to legislate for the Episcopal Church of England and English Episcopalians to legislate for the Presbyterian Church of Scotland.'

In this paper, however, it may be assumed that the union of divided Christian Churches, without the sacrifice of any real convictions, is considered to be desirable by most Christian men.

The question is, how this union, 'a consummation devoutly to be wished,' can be carried out. There are, it would appear, two theories on the subject. One, which may be called the theory of absorption, consists in the attempt to draw all by an absolute submission into the reformed ancient Church. This proceeding would, of course, involve the repudiation of almost all that the 'converts,' as they would be called, had hitherto held dear.

The other, which was Bishop Wordsworth's plan, may be stated in his own words: 'Can a reconciliation between Presbyterians and ourselves be effected upon the understanding that the adoption of the threefold ministry is eventually to be accepted as the basis of an agreement—the existing generation of Presbyterian clergy being left free to receive Episcopal ordination or not, at their own option; and that in the meantime, we are to work together with mutual respect, and with no unkind or unbrotherly disparagement of each other's position?' In a letter to Mr. Hannay, editor of the *Courant* newspaper, the bishop adds a suggestion that any Presbyterian minister might accept Episcopal ordination provisionally or, so to say, hypothetically; while any who should be advanced to the order of bishops would, of course, receive consecration. (*Public Appeals*, 387.)

Reference is also made to Archbishop Bramhall's words: 'Non annihilantes priores ordines (si quos habuit) nec invaliditatem eorundem determinantes, multo minus omnes ordines sacros Ecclesiarum forinsecarum condemnantes, quos proprio Judici relinquimus, sed solum modo suppletentes quicquid prius defuit per Canones Ecclesiæ Anglicanæ requisitum,' etc. (See the whole in Mosheim, iv. 383-4.) Consecration per saltum, as in the case of Ambrose and others, was also in the bishop's mind. Thus, though for a generation we might have a certain

variety of ministers within the reconstituted Church, yet all candidates for the ministry henceforward being episcopally ordained, the amalgamation in a few years would be complete. This plan, for which the bishop claimed historical precedents, both in the early Church and in our own country since the Reformation, may be called the theory of accommodation. The bishop states, 'There can be no doubt that in Scotland at the Restoration (1660-1) a large proportion of the clergy who had not received Episcopal ordination were allowed to remain in their parochial charges upon no other condition than that of acknowledging the office and authority of the bishop of the diocese.' Dr. Grub writes: 'None of the bishops except Bishop Mitchell . . . insisted on reordaining ministers who had received only Presbyterian ordination, though they did not refuse to do so when asked.' Burnet gives similar testimony, (*History of his own Times*). Even Keble (*Pref. to Eccl. Ed.*, lxxvi.) admits that nearly up to the time when he (Hooker) wrote, numbers had been admitted to the ministry of the Church in England with no better than Presbyterian ordination. In the Bidding Prayer in Canon 55, the people are bidden to pray 'especially for the Churches of England, *Scotland*, and Ireland.' The breadth of Leighton's sympathy may be seen from the characteristic story of his going to visit a sick Presbyterian minister on a horse borrowed from a Roman Catholic priest.

A *tertium quid* indeed is entertained by some who suppose that unity may consist in a sort of federation of Churches, that a federal union would suffice. This, however, can hardly be called *unity*. It would not be the confluence, but rather the course of independent streams, trickling each in a restricted channel of its own, instead of the full and fertilising volume of a united river.

But now, without further anticipation, it will be best to follow the orderly sequence of events, and to note how the idea of the work to which he devoted himself arose in the bishop's mind, to note the first steps towards the desired reunion. It will be best to record the successive steps in his own words. He says (*Annals*, p. 160): 'I had not been long in this country before it struck me how urgent a call there was for some attempt to be made to correct this evil.' That is, making light of our unhappy

divisions. ‘And I could not but ask myself whether I might not be able, in dependence upon the divine help, to contribute somewhat towards its correction. . . . I did not underrate the difficulties in the way. I did not expect that much progress could be made speedily, or even perhaps during a lifetime ; but nevertheless, I was convinced that a beginning ought to be made by endeavouring, through public lectures and frequent letters in the newspaper, to leaven the minds of the more intelligent portion of our population, and especially of ministers themselves, with sounder principles.’

With this view we find him addressing a temperate and courteous letter to all the Presbyterian ministers in his diocese. This was followed at certain intervals with learned lectures in St. Andrews and elsewhere.

The part Bishop Wordsworth took in this matter of Christian Unity, from first to last, may be seen in his *Public Appeals*, a series of twelve papers, in which the subject is comprehensively stated. From time to time during his episcopate of forty years, we see him coming forth in complete armour to defend his cause. Though the subject might be suffered to sleep for a time, there was the vigilant champion, ready to take advantage of any opportunity of pressing it upon any who might be willing to hear. On the occasion of the Jubilee of Queen Victoria, we find him writing an able letter to the editor of the *Times* newspaper, proposing to signalise her reign ‘by completing through an ecclesiastical union what was left undone by the political union accomplished in the reign of Queen Anne.’ Up to the last fortnight of his life on earth we find him engaged in his labour of love, justifying the words of his own epitaph, in which it is recorded that :

‘Remembering the prayer of his Divine Lord and Master
For the Unity of His Church on earth,
He prayed continually and laboured earnestly
That a way may be found, in God’s good time,
For the reunion of the Episcopalian and Presbyterian bodies,
Without the sacrifice of Catholic principle
Or Scriptural Truth.’

It remains to form some estimate of the reasons which weighed with the bishop in his treatment of the important subject, and

to express the writer's own view, after many years' service in the Episcopal Church in Scotland; a view, however, which he believes to be shared by many of the more thoughtful members, both lay and clerical, both of the Episcopal and Presbyterian Churches in this land.

The bishop, as it has been seen, was in favour of making such temporary concessions as, while the principle of Episcopacy was preserved, might make the reconciliation less difficult to a Church which could claim only a Presbyterian succession. He saw the supreme advantage a really National Church would be in Scotland. And he was persuaded that not only might such an amalgamation as he proposed be lawfully permitted, but that the history of the Church showed that it had been actually put in practice. In other words, that an ordination, though not strictly regular, might yet have been valid. He quotes the well-known words of Bishop Andrewes to the famous French Protestant du Moulin, and cites the authority of Hooker, of Bishop Cosin, of Archbishop Wake, and others, to say nothing of the action of the greatest of his own predecessors in the annexed Diocese of Dunblane, the saintly Bishop Leighton, himself originally a Presbyterian minister, and the other bishops of the Restoration.

The bishop was particularly anxious that his action should not be misunderstood. He would have no one imagine that, while pleading for a considerate treatment of Presbyterianism, he ignored the antiquity, or undervalued the importance of Episcopacy. This, indeed, he defended with a wealth of learning which could not be confuted. The present writer was favoured with more than one letter from him, in his clear and beautiful handwriting, on the subject. In one of these he refers to the suspicion that he had fallen into the error, which an ignorant writer in a newspaper had imputed to him as a merit, 'of failing to maintain the distinctive principle which separates Episcopacy from Presbyterianism, which,' he says, 'I have never done; though I have argued the matter with studied forbearance.'

The whole question indeed turns upon the distinction between the *esse* and the *bene esse* of a Church. This latter, *i.e.* the value of Episcopacy for the well-being of a Church, no one could set forth more learnedly, or hold more firmly than Bishop

Wordsworth. The former, however, or the absolute necessity of Episcopacy to a Church's existence, he held, with the great authorities before mentioned, to be not equally demonstrable. Bishop Andrewes' words on the subject are well known; those of Archbishop Wake, another great advocate for Union (1719), addressed to le Clerc, are not so well known and may be subjoined: 'Ecclesias reformatas . . . libenter amplector. Optarem equidem regimen episcopale bene temperatum . . . ab iis omnibus fuisset retentum; nec despero quin aliquando restitutum . . . posteri videbunt. Interim absit ut ego tam ferrei pectoris sim, ut ob ejusmodi defectum . . . aliquas earum a communione nostra abscindendas credam; aut, cum quibusdam furiosis inter nos scriptoribus, eas nulla vera ac valida sacramenta habere. . . . Unionem arctiorem inter omnes reformatos procurare quovis pretio vellem.' (See the whole interesting correspondence in the Appendix to *Mosheim*.)

It may be also worth while to quote here Hooker's judicious words: 'Although I see that certain reformed Churches, the Scottish especially and French, have not that which best agreeth with sacred Scripture, I mean the government that is by Bishops . . . this their defect and imperfection I had rather lament in such case than excogitate, considering that men oftentimes without any fault of their own may be driven to want that kind of polity or regiment which is best, and to content themselves with that, which either the irremediable error of former times, or the necessity of the present, hath cast upon them' (*Eccl. Pol.*, III. xi. 16). We have also on record his still stronger and less guarded language in the seventh book of his immortal *Polity* (VII. xiv. 11): 'There may be sometimes very just and sufficient reason to allow ordination without a Bishop.' Though this latter quotation is from one of the books which lie under some suspicion of having been tampered with after Hooker's death, it is evident that he, with our old standard divines, secure in their own unassailable position, yet refused to unchurch the foreign Churches, even when they considered them to some extent wanting in completeness.

On the subject of our differences perhaps one may be allowed to take a physical illustration: A man who has had the misfortune to lose a limb is still a man, and sometimes even a finer

specimen of humanity than others who have managed to retain all their limbs. Still there has been a loss. There is little doubt, however, that, as Mark Pattison says in his *Life of Casaubon*, 'before the rise of the Laudian School, the English Church and the Reformed Churches of the Continent mutually recognised each other as sisters.' Perhaps we might say, more exactly, step-sisters.

With regard to reunion, the chief difficulty in the minds of some well-informed and well-affected Presbyterians seems to arise from the promise exacted from all candidates for the ministry and for eldership, 'never to endeavour, directly or indirectly, the prejudice or the subversion of the Presbyterian government and discipline.' This seems an extreme requirement. If wider knowledge, larger experience, honest conviction, lead men in riper years to a more liberal view of things than that which they took in their uninstructed youth, are they to be precluded for ever from giving it effect? The Council of Trent could hardly go beyond this. It would seem that religion which was meant (as some suppose the word signifies) to bind us together, had been made a sort of wedge to split us asunder. After all, the fact remains that more than two-thirds of the people of Scotland were living together in one National Reformed Church little more than three centuries ago. Is it a hopeless task, a mere 'ecclesiastical dream,' to attempt to bring us together again?

Bishop Wordsworth, we may be sure, would have rejoiced to see the day which it has been agreed between ourselves and our Presbyterian brethren to observe as a day of special intercession for Christian Unity. No one would have hailed more heartily the formation of the 'Christian Unity Association,' in which Episcopalians and Presbyterians, Bishops and Moderators, Clergy and Laity meet together once a quarter for joint devotion and conference. Such a sight would have been impossible a few years ago. Less than three centuries ago we were flying at each other's throats. Covenanters persecuted Episcopalian, and Episcopalian retaliated on Covenanters. For to say that in those troublous times one side were all lambs and the other side all wolves, would be an utter misreading of history. As Jeremy Taylor said, 'They preach for toleration when them-

selves are under the rod, who when they got the rod into their own hands thought toleration itself to be intolerable' (*Via Intelligentiæ*). There were doubtless faults on both sides. But now happily we see their descendants uniting in conference and in prayer with a view, sooner or later, to ultimate unity.

And Bishop Wordsworth's unwearied labours it is impossible to doubt have contributed to this happy result; so far realising his own anticipation, as expressed in the language of an ancient writer, Statius, as he was fond of quoting: 'Serit arbores quæ alteri sæculo prosint.' He at least never ceased to labour and pray for a reconciliation of Episcopacy and Presbyterianism. Is it, we may ask, a vain vision? Is it the Utopian idea some have called it? Let us look back for a moment to our own national history. What did we see in this country only a century and a half ago? A people divided in two. Some following one King, and some a rival claimant to the crown. What do we see now? The same people loyally united under the same Sovereign. Why should it not yet become so in the Kingdom and Church of Christ? Is it not refreshing, after long years of controversy and mutual misunderstanding, to read the noble utterances on this subject of unity by leading men on both sides, that aspiration after a united Church in a united Empire which rises in various minds; to find Principal Tulloch, for instance, readily admitting that 'Episcopacy has a certain historic root in Scotland,' and a Moderator of the Established Church declaring that no union of Churches in Scotland would be complete in which the Episcopal Church could be left out? Who after this will call it 'an exotic,' 'an alien on Scottish soil,' and other flowers of rhetoric which wither in the light of history? Though our present condition may resemble the picture Coleridge has drawn of those who have become divided,

'They stood aloof, the scars remaining,
Like cliffs which had been rent asunder,'

does not this imply that we were once united? Does it not hold out the hope that we may be reunited? We cannot but deplore the spectacle of a divided Christendom. We cannot fail to see the hindrance it causes both to the spread of true religion and virtue at home, and to the progress of Christian missions in

foreign parts. The policy of the Prince of this world has ever been 'Divide and Conquer.' What should be the conduct of the servants of Christ in view of the gathering forces of unbelief, with all those attendant evils with which we are confronted in these dangerous days? Is it not our wisdom no less than our duty to draw together, to do all that in us lies to unite 'all that call upon the name of the Lord Jesus, both theirs and ours'? Each of the two Churches, Episcopal and Presbyterian, claims to be the reformed representative of the ancient original Church of the country. Each, it must be admitted (as it has been admitted by the ablest adherents of each) has, more or less, an historic root in the land. Each must make concessions to the other. The kind and amount of such concessions should not be beyond the power of arrangement by Christian men who are agreed upon the principle and duty and blessedness of unity. The more a man imbibes the spirit of his Master Christ, the more will he be drawn towards all who, with whatever unequal steps, are followers of Christ. The more single becomes the spiritual eye, the more clearly will it come to discern between what is essential and what is non-essential in the religion of Christ. The more his heart is enlarged, the more ready will he be to 'look not only on his own things, but also on the things of others.' There must be a union of hearts before there can be any satisfying corporate union. In any case, we must listen to the Divine voice within us, echoing the sacred words: 'Sirs, ye are brethren; why do ye wrong one to another?'

The late Dr. Macgregor's vision of 'a Church united and Catholic,' of 'Unity restored to Scotland on the wider basis of Catholic Christianity,' and of his feelings with regard to Bishop Wordsworth, may be seen in the recently published *Life* (pp. 440-1, 455) of that eminent man and minister. Principal Whyte, another outstanding name, says, out of the largeness of his heart, 'If ever the good time comes when the Episcopal Church of Scotland will arrive among us with her sheaves, that will be a very enriching addition to the common Scottish store' (*Scotsman*, Nov. 10, 1911).

Unity, no doubt, is not to be hurried. 'There would be no surer way to spoil the effort,' as the Archbishop of Canterbury said in a recent sermon in Edinburgh Cathedral, 'than by a

rough and ready handling of the splendid task, or to attempt to effect by rushing what can only come by growth.' 'One soweth and another reapeth.' 'The work be thine, the fruit thy children's part.' 'Carpent tua poma nepotes.'

In view then of all these encouragements, and the thoughts which are now exercising the minds of large-hearted Presbyterians as well as of members of our own Church, we will not cease to cherish the hope that what each has to offer the other may come to be accepted by the other; that what we for our part are in a position to contribute by way of completeness may yet commend itself to those who feel that they would not be losers but gainers by linking themselves more closely with the great Catholic past; and that we may readily adopt to our own enrichment the many practical advantages which are to be found among those whose ecclesiastical polity has hitherto differed from our own. Nor will we cease to pray—after the pattern of the bishop who more than any other has prepared the way for it—to pray for the time when, without any real sacrifice of principle, those who unhappily have become divided may yet be able once more to work together in one really National Church.





